



HEALTH POVERTY ACTION

FAMILY AND DEPENDANTS BENEFITS POLICY

Health Poverty Action aims to be a supportive employer.

We recognise that people's individual circumstances, needs and preferences vary, and hope our policies and practices will evolve to reflect this in the light of feedback and experience.

Therefore, if any member of staff feels their particular needs or preferences are not properly catered for in this policy, then we would be pleased to discuss this and consider alternatives.

Also, please note that while the benefits provided by Health Poverty Action are intended to exceed statutory requirements, legislation changes frequently and the benefits are complicated.

If a statutory requirement inadvertently exceeds a benefit outlined below, then Health Poverty Action will provide the higher of the two.

A) MATERNITY BENEFITS

NOTIFICATION REQUIREMENTS

The employee should notify Health Poverty Action, by the 15th week before the baby is due, of her pregnancy, the week her baby is expected to be born (EWC - Expected Week of Childbirth) and the date she intends to start her maternity leave. If she subsequently wishes to change the date her maternity leave begins, the employee should give Health Poverty Action 28 days' notice, or if this is not possible (e.g. if the baby is born early) as much as is reasonably practicable.

Health Poverty Action will respond within 28 days of this notification. The response will inform the woman of her maternity leave rights, and confirm the date she is due back at work.

Statutory maternity leave cannot start more than 11 weeks before the EWC, but the employee can choose to start it any time after that.

If an employee is absent from work with a pregnancy-related illness within four weeks of her EWC, then her employer has a right to deem her maternity leave to have begun. Health Poverty Action however would not automatically exercise this right, and (if doing so would be against the employee's wishes) would only do so if exceptional circumstances required it (eg to protect her from putting her health at undue risk, or if the needs of the work meant there was little option).

If the employee wishes to change the date of her planned return to work, then she should give Health Poverty Action 8 weeks' notice. Good periods of notice help Health Poverty Action maintain the quality of its work, and any communication about likely intentions is appreciated. However individual circumstances and needs vary, and certainty can be difficult at such changing times in our lives – so if practical and reasonable in terms of impact on the work this 8 weeks' notice requirement may be reduced (or waived) at the Director's discretion.

Health and safety

So that we may assess any potential risk that your role poses to your health and safety, and the health and safety of your baby, you should notify your line manager as soon as you are aware that you are pregnant. A Health and Safety Risk Assessment will be undertaken and action taken to eliminate any risk.

This may include making adjustments to your role or, if no adjustments can be identified that will reduce or remove the risk, you will be offered a suitable alternative role for the duration of your pregnancy. In the event that alternative work cannot be found, we reserve the right to place you on suspension on full pay until you are no longer at risk. If necessary, these arrangements will continue for a period of six months after the birth of your child.

Please speak with *the Office Manager* immediately if you are worried about your own health and safety at any time.

1 MATERNITY BENEFITS APPLICABLE TO ALL EMPLOYEES

1.1 All employees, including those with less than one year's continuous service at the 15th week before the EWC, are entitled to take 26 weeks Ordinary Maternity leave (OML) regardless of the weekly hours worked and to return to work in the same job thereafter. Maternity leave may start at any time after the 11th week before the EWC.

1.2 Following Ordinary Maternity Leave (OML), all employees can also choose to take an additional 26 weeks' leave. This is known as Additional Maternity Leave (AML).

1.3 Maternity leave counts as continuous service for contractual purposes.

1.4 ANNUAL LEAVE

Full annual leave accrues as normal throughout statutory maternity leave (both OML and AML). This includes English public holidays, and also the three extra days Health Poverty Action's UK staff are given between Christmas and New Year (when the HQ office currently closes) – a total of 36 days per year plus any additional days earned through length of service.

Carrying forward untaken leave: As far as possible, Health Poverty Action's usual contractual rules should apply, meaning untaken holiday carried forward from one year to the next should normally be taken by 31 March or be forfeited. Therefore, if their maternity leave is likely to continue beyond this date, employees should normally plan to use up any outstanding annual holiday before starting their maternity leave. (The reason for this is that if untaken holiday is carried forward, it then has to be added to the leave the employee accrues while on maternity leave, which can mean returning to work with a very large amount of outstanding leave due).

However, it must be ensured that it is possible for the employee to take her full entitlement of leave, and both the employee and Health Poverty Action are responsible for working together to ensure this. Therefore, if circumstances make it exceptionally difficult for the employee to take any currently outstanding amounts before their maternity leave starts, their manager may agree for it to be carried forward until after their maternity leave.

1.5 PENSION

While you are receiving maternity pay, assuming you wish your pension contributions to continue, you only need to make contributions based on the amount you are actually paid, whereas Health Poverty Action's contributions will be at the level they would have been at if you had not been taking maternity leave. (For example, if you

pay 5% of your salary into your pension and Health Poverty Action matches this 5%, to continue this arrangement while on maternity leave you only need to pay 5% of your reduced maternity pay, whereas Health Poverty Action's contribution will continue to be at the level of 5% of your normal salary.)

Once your maternity pay ends, for the remainder of your statutory maternity leave, if you choose to continue paying into your pension scheme then Health Poverty Action will match your actual contributions (up to the usual maximum level of 5% of what your pay would be when not on maternity leave).

- 1.6 If requested and at the Director's discretion, up to twenty further weeks maternity absence without pay may be allowed above and beyond the statutory maternity leave of 52 weeks. In making the decision the Director will take into account factors such as the likely effect on Health Poverty Action's work and other staff, the needs and preferences of the employee and her family, and the circumstances prevalent at the time.

This additional leave will still be classed as continuous employment, but will otherwise be on a time-off-the-payroll basis, meaning normal contractual benefits such as pension entitlement and annual leave will not accrue during this time. (However any annual leave due at the start of this additional leave can be carried forward in order to be taken at a suitable time on return to work.) Statutory Maternity Pay

- 1.7 An employee who has worked for Health Poverty Action continuously for at least 26 weeks up to and including the qualifying week (the 15th week before the EWC), will qualify for Statutory Maternity Pay (SMP), providing her average weekly earnings for national insurance contributions are at least equal to the Lower Earnings Limit. This entitlement is for 6 weeks at 90% of her average earnings, followed by 33 weeks at standard rate Statutory Maternity Pay. Staff with less than this period of service can only claim the maternity allowance due direct from the Department of Works and Pension (DWP).

- 1.8 To receive SMP, employees must provide a completed MATB1 certificate at least 28 days before the date on which they want their SMP to begin being paid.

2 EMPLOYEES WITH ONE YEAR'S SERVICE OR MORE

Health Poverty Action provides **enhanced benefits** to those outlined in section 1 above to staff who have completed one year's continuous service or more at the 15th week before the EWC.

These are as follows:

- 2.1 Staff working full or part-time, instead of the pay outlined in 1.7 above, will be entitled to:

After one year's service: 14 weeks on full pay including statutory benefits, followed by 25 weeks SMP

After two years' service: 18 weeks on full pay including statutory benefits, followed by 21 weeks SMP

- 2.2 These payments are not conditional upon the employee returning to work after her maternity leave. If the employee decides at any stage not to return to work with Health Poverty Action, she will not be required to repay them.

Full-time staff intending to return, by agreement, to part-time work will receive as

maternity pay their standard full-time pay as set out in 3.1.

- 2.3 Should the employee decide not to return after maternity leave, normal periods of notice will apply at any stage as if the employee was not on maternity leave. As this may often be as little as 4 weeks (or even less), and recognising the difficulties of maintaining cover on temporary contracts, if the employee feels able to give Health Poverty Action greater notice than that required in her contract then this would be helpful and appreciated – but Health Poverty Action recognises the difficulties of such important personal decisions, knows that everyone’s circumstances are different, and therefore completely understands if greater notice is not felt appropriate (and no benefits outlined here are conditional upon it).

3 ADDITIONAL MATERNITY NOTES

- 3.1 Health Poverty Action may make reasonable contact with the employee during her maternity leave, for purposes such as staying in touch and discussing return to work. In addition, if both the employee and Health Poverty Action agree to it, it is possible for the employee to work up to 10 days or part days during her maternity leave (paid according to her salary if not on maternity leave). These are known as **keeping-in-touch days**. Full-time pay at the individuals’ normal salary rate will be paid for any time worked as a part of **keeping-in-touch days**.
- 3.2 Health Poverty Action will give sympathetic consideration to requests for flexible working and/or for previously full time staff to work part-time after return from maternity leave.
- 3.3 All pregnant employees regardless of hours or length of service are entitled to take reasonable time off with full pay for antenatal care, which can include not only medical examinations but also classes on relaxation and parent craft. (Appropriate notice of such leave should be given to the employee’s line manager.)

Flexible working

Health Poverty Action will give sympathetic consideration to requests for flexible working and/or for previously full time staff to work part-time after return from maternity leave.

Shared Parental Leave and Pay

You may be entitled to take Shared Parental Leave and Pay. See section F) below.

B) PATERNITY BENEFITS

Paternity leave and pay

Eligible employees are entitled to up to two weeks paternity leave on full pay.

Health Poverty Action is keen to do whatever it reasonably can to help enable fathers to play a full and equal role in their child’s care and upbringing, and to be available to support their partner around the time of childbirth. Health Poverty Action therefore does not require a length of

service qualification for Paternity Leave and Pay, and all employees meeting the two criteria above qualify, regardless of how long they have worked with us.

Paternity leave cannot start until the birth of the baby, and should be completed:

- within 56 days of the actual date of the birth of the child; or
- if the child is born early, within the period from the actual date of birth up to 56 days after the expected week of birth.

Eligibility following the birth of a child

You will meet the eligibility criteria for the above paternity leave and pay if you:

- are the child's father, the mother's husband or partner (whether of the same or different sex) or one partner in a couple who are both entitled to apply for, and propose to apply for, a Parental Order for the child
- have been employed and performed work for your employer for a minimum period of 26 weeks by the end of the 15th week before the expected week of childbirth (EWC)
- will be or expect to be responsible for the child's upbringing, where you are the father, or expect to be mainly responsible for the child's upbringing where you are the mother's husband or partner but not the father of the child
- have given the required notice of your intention to take leave
- have not previously taken shared parental leave for the same child.

Eligibility following adoption

You will be eligible for the above paternity leave and pay on the adoption of a child if you:

- will be or expect to be mainly responsible for the child's upbringing
- are married to the child's adopter or the partner of the child's adopter (whether of the same or different sex)
- have been employed and performed work for your employer for a minimum period of 26 weeks by the end of the week the matching notification is given to the child's adopter
- have given the required notice of your intention to take leave and, where requested, have provided evidence
- have not previously taken shared parental leave for the same child.

Notification requirements following the birth of a child

Unless not reasonably practicable, your intention to utilise a period of paternity leave must be notified to Health Poverty Action during or before the 15th week before the EWC. Your line manager must be informed, in writing, of:

- the anticipated week of birth
- whether you intend to use one or two weeks' leave
- the date you wish the leave to begin.

As soon as reasonably practicable after birth, you must notify us of the actual date of birth in writing.

A signed declaration stating you intend to utilise a period of paternity leave to care for a child or provide support to the mother of the child and that you meet the eligibility criteria for the leave may be requested. Where requested, this should be provided to *[insert job title]*.

If wish to change the date of your paternity leave after giving notice, you must provide an additional written notice requesting a variation to the leave. This notice must be provided at least 28 days in advance of the new start date of the leave period.

Notification requirements following the adoption of a child

Unless not reasonably practicable, your intention to utilise a period of paternity leave must be notified to Health Poverty Action within seven days of the date the matching notification is given to the child's adopter. Where this is not reasonable practicable, the notification must be provided to Health Poverty Action as soon as possible. *[Insert job title]* must be informed, in writing, of:

- the date the matching notification was given to the child's adopter
- the expected date of placement
- whether you intend to use one or two weeks' leave
- the date you wish the leave to begin.

Employees will benefit from all normal terms and conditions during their period of paternity leave.

Antenatal care and parent craft classes

All expectant fathers, regardless of hours or length of service, are entitled to take reasonable time off with full pay to attend significant antenatal care appointments such as ultrasound scans and parent craft classes – and of course to be able to be with the baby's mother during labour and childbirth. (Appropriate notice of such leave should be given to the employee's line manager.)

Further discretionary leave

If requested and at the Director's discretion, in addition to the rights set out above employees may be allowed to take further unpaid paternity leave, up to the maximum that Health Poverty Action allows for maternity leave (i.e. up to a total of 72 continuous weeks). In making the decision the Director will take into account factors such as the likely effect on Health Poverty Action's work and other staff, the needs and preferences of the employee and his family, and the circumstances prevalent at the time. This additional leave will still be classed as continuous employment, but will otherwise be on a time-off-the-payroll basis, meaning normal contractual benefits such as pension entitlement and annual leave will not accrue during this time. (However any annual leave due at the start of this additional leave can be carried forward in order to be taken at a suitable time on return to work.)

Flexible working

Health Poverty Action will give sympathetic consideration to requests for flexible working and/or for previously full time staff to work part-time after return from paternity leave.

Shared Parental Leave and Pay

You may be entitled to take Shared Parental Leave and Pay. See section F) below.

C) ADOPTION LEAVE AND PAY

To be eligible for adoption leave, the employee must:

- Be newly matched with a child for adoption by an approved adoption agency
- Have worked continuously for Health Poverty Action for 26 weeks leading up to the week in which they are notified of being matched with a child for adoption.

If a couple are adopting jointly they may choose which partner will qualify for adoption leave, and the other will qualify for benefits equal to those set out in section B) above "Paternity Benefits".

Ordinary Adoption Leave (OAL) is for a period of 26 weeks, commencing on either of the following two dates which can be chosen by the employee:

- a) from the date of the child's placement, or
- b) from a fixed date which can be up to 14 days before the expected date of placement.

Following OAL, the employee may choose to take Additional Adoption Leave (AAL). This is for a further period of up to 26 weeks, beginning with the last date of the OAL.

If requested and at the Director's discretion, following this total of 1 year's leave, up to twenty further weeks adoption leave without pay may be allowed. In making the decision the Director will take into account factors such as the likely effect on Health Poverty Action's work and other staff, the needs and preferences of the employee and his/her family, and the circumstances prevalent at the time. This additional leave will still be classed as continuous employment, but will otherwise be on a time-off-the-payroll basis, meaning normal contractual benefits such as pension entitlement and annual leave will not accrue during this time. (However any annual leave due at the start of this additional leave can be carried forward in order to be taken at a suitable time on return to work.)

Pay and conditions during and after Adoption Leave are at the same rates and terms set out in Section A) "Maternity Benefits" above, e.g. levels of pay, pension benefits, return to work arrangements, keeping-in-touch days, arrangements if you decide not to return, etc.

Similarly, the Director will give sympathetic consideration to requests for flexible working and/or for previously full time staff to work part-time after returning from Adoption Leave.

Adopters should inform their manager of their intention to take adoption leave within seven days of being notified by their adoption agency that they have been matched with a child for adoption. They will need to tell their manager:

- when the child is expected to be placed with them, and
- when they want their adoption leave to start.

Employees will need to provide documentary evidence – a "matching certificate" from their adoption agency – as evidence of their entitlement to Statutory Adoption Pay.

Shared Parental Leave and Pay

You may be entitled to take Shared Parental Leave and Pay. See section F) below.

D) UNPAID (SOMETIMES CALLED 'ORDINARY') PARENTAL LEAVE

Unpaid parental leave (as opposed to Shared Parental Leave) is a right to take time off work to look after a child or make arrangements for the child's welfare. Parents can use it to spend more time with their children and strike a better balance between their work and family commitments.

This leave will be unpaid and will be for a maximum of eighteen weeks for each child within the conditions outlined below. It is an individual right and both the mother and father are entitled to the maximum leave.

To be eligible for parental leave the employee will need to have had one year's continuous service with Health Poverty Action by the time they wish to take this leave and satisfy one of the following conditions:

- Be the parent of a child who is under five years old.
- Have adopted a child under the age of 18 years. (This right lasts for five years from the date on which the child was placed for adoption or until the child's 18th birthday, whichever is sooner.)
- Have acquired formal parental responsibility for a child who is under five years old.

Parents of disabled children will be able to use their leave until their child's 18th birthday.

Qualifying staff have a right to take up to four weeks' parental leave per annum per child, in blocks of no less than one week at a time, and should give 21 days' notice of their intention to take parental leave. However, while those are the formal rules that apply, Health Poverty Action will consider requests for flexibility (and in making a decision the Director will take into account factors such as the likely effects on the work, colleagues, the employee and her/his family).

Applications for parental leave should be made through the employee's line manager. Unless the leave is to take place immediately after the birth or adoption, Health Poverty Action reserves the right (which it would hope not to exercise) to postpone it for up to six months if the organisation would be unduly disrupted by it.

E) TIME OFF TO CARE FOR DEPENDANTS

Employees are entitled to take a reasonable amount of unpaid leave in order to deal with family emergencies, where it is necessary for example:

- To provide assistance when a dependant falls ill, gives birth, or is injured or assaulted.
- To make arrangements for the provision of care for a dependent who is ill or injured.
- To deal with unexpected disruption or termination of arrangements for the care of a dependant.

For the purpose of this policy, a dependant is defined as an employee's partner, child, parent,

an individual who lives in the same household, or one who reasonably relies on the employee either for assistance when (for example) they have fallen ill or been injured, or to make arrangements for the provision of their care.

Employees should keep their manager appropriately informed of the reason for the absence as soon as reasonably possible along with its likely length.

Compassionate bereavement leave

At times of severe personal difficulties, whatever they may be, Health Poverty Action will of course endeavour to be as supportive as possible, and at the discretion of the Director this support includes (but is not limited to) up to two weeks **on full pay**.

F) SHARED PARENTAL LEAVE AND PAY

This section sets out the statutory right to take Shared Parental Leave (SPL) to care for a child due to be born or placed for adoption on or after 5 April 2015.

It also sets out the entitlement to pay during SPL, and the associated notification requirements for taking it.

SPL gives employees with caring responsibilities for babies or newly adopted children the opportunity to share up to 52 weeks' leave should they wish to do so. Parents taking SPL can take leave in separate blocks, returning to work in between blocks, and can be on leave at the same time. Eligible employees are entitled to submit up to three 'period of leave' notices and are entitled to take SPL on those dates if a continuous period of leave is requested.

Employees and managers should where possible have an informal discussion prior to employees giving formal notification of intention to take SPL so that statutory entitlements to other types of leave and pay can be discussed, and to ensure that plans for any discontinuous periods of leave can be considered as early as possible.

Requests for SPL which are not made in accordance with the statutory notification requirements will be given reasonable consideration, but may not be granted.

Entitlement to SPL

To be entitled to SPL you must:

- be the mother, father, or main adopter of the child, or the partner of the mother or main adopter (each will be referred to in this policy as a parent)
- have (or share with the other parent) the main responsibility for the care of the child
- have at least 26 weeks' continuous service at the 15th week before the expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week')
- still be in continuous employment until the week before any SPL is taken.

In addition, the other parent must:

- have at least 26 weeks' employment (employed or self-employed) out of the 66 weeks prior to the relevant week
- have average weekly earnings of at least £30 during at least 13 of the 66 weeks prior to the relevant week.

If the other parent meets those conditions, but does not qualify for SPL, you may be entitled to the whole SPL period – the main advantage being the ability to request leave in different blocks and return to work in between those blocks.

You must also follow the statutory notification and information requirements detailed below.

Amount and timing of SPL

SPL must be taken in blocks of at least one week and within a one year period beginning with the date of the baby's birth or the child's placement for adoption.

The maximum of 52 weeks' SPL will be reduced by the number of weeks' maternity or adoption leave that has already been taken by the mother or main adopter (or the number of weeks' statutory maternity/adoption pay or maternity allowance already taken if the mother or main adopter is not entitled to statutory maternity/adoption leave).

After the birth of a child it is compulsory to take two weeks' maternity leave (four weeks for new mothers who work in a factory), so in the majority of cases working parents will have the opportunity to split 50 weeks of SPL.

SPL is in addition to the statutory right to two weeks' paternity leave for fathers and partners. If you wish to take paternity leave you must do so before you take any SPL.

Entitlement to Shared Parental Pay

In addition to the requirements regarding entitlement to leave outlined above, if you wish to claim Shared Parental Pay (ShPP) you must have average weekly earnings equal to or above the Lower Earnings Limit over the eight week period ending with the relevant week.

A maximum of 39 weeks' ShPP is payable, and this will be reduced by the number of weeks' statutory maternity/adoption pay or maternity allowance already taken by the mother or main adopter. ShPP is a standard weekly rate (or 90 per cent of the employee's normal weekly earnings if this is lower) which is set by government each tax year.

You must follow the statutory notification and information requirements detailed below.

Enhanced (Occupational) Shared Parental Pay

Enhanced (occupational) Shared Parental Pay is payable to employees on Shared Parental Leave who have been employed continuously for 26 weeks.

Enhanced Shared Parental Pay is paid at the rate of 90% of average earnings for the first six weeks of SPL and half pay for the remaining six weeks, and is inclusive of an entitlement to ShPP.

Enhanced Shared Parental Pay will only be paid during periods in which you are also claiming ShPP. If you have received enhanced employer maternity or adoption pay in respect of the

same birth or adoption, you will have the equivalent amount deducted from any entitlement to the employer's Shared Parental Pay. Enhanced (Occupational) Shared Parental Pay (but not statutory ShPP) must be repaid to the employer if you do not return to work for at least 12 months at the end of the SPL period.

Notification requirements

The notification requirements for SPL and ShPP are very specific and detailed. You will be provided with a form to assist you to provide the required information and declarations.

Notice of entitlement and intention to take SPL and ShPP

You must notify the employer in writing at least eight weeks before the start date of the first period of SPL. The written notice must contain the following information:

- Your name and the other parent's name
- The start and end dates of the mother's or main adopter's maternity/adoption leave (or the start and end dates of the statutory maternity/adoption pay or maternity allowance period if the mother/main adopter is not entitled to statutory leave)
- The expected date of birth/placement and the actual date of birth/placement if the written notice is given after the birth/placement
- The amount of SPL and ShPP available and an indication of how much each parent intends to take (this may be varied by a subsequent written notice signed by both parents)
- An indication of the start and end dates of the periods of SPL and ShPP that you intend to take. This indication is not binding and can be amended at a later date.
- A declaration that you meet the conditions for entitlement to SPL, the information provided is accurate and that you will notify the employer immediately if you cease to meet the conditions for entitlement.
- A declaration from the other parent containing his or her name, address and National Insurance number, confirmation that s/he meets the employment and earnings conditions, consents to the amount of leave the employee intends to take and will immediately inform you if s/he ceases to satisfy the employment and earnings conditions.

Notice of curtailment of statutory maternity/adoption leave and payments

At the same time that a notice of entitlement and intention to take SPL is submitted, the mother/main adopter must give his or her employer a leave and pay curtailment notice giving eight weeks' notice of the date on which maternity/adoption leave and pay is to end (or the date on which maternity/adoption pay is to end if s/he is not entitled to maternity/adoption leave). If the mother is only entitled to maternity allowance (and not maternity leave) her notice of curtailment must be submitted to Jobcentre Plus. Her maternity allowance cannot be reinstated, so she is in effect giving consent for her partner to take the whole of any ShPP entitlement.

Notice of curtailment is usually binding, but may be revoked in the following circumstances:

- it becomes apparent that neither parent is entitled to SPL or ShPP
- if the curtailment notice was given before the birth and is revoked within six weeks of the birth (in this case another curtailment notice can be submitted)
- if the other parent dies.

Notice to take a specific period of SPL and ShPP

In practice, at least the first period of SPL will be identified in the initial notice of entitlement and intention to take SPL. You are entitled to submit a maximum of a further two 'period of leave' notices *[optional – but the employer may allow more than three period of leave notices to be submitted in some circumstances]*. Each notice must be given at least eight weeks before the start of a period of leave, stating the dates of the leave and the dates on which ShPP will be claimed, if applicable.

If the first 'period of leave' notice is given prior to the birth of a child, the notice may express the start date in relation to the date of birth, for example 'starting two weeks after the baby is born for a period of four weeks'.

Confirmation of SPL and ShPP

If a continuous period of leave is requested in each period of leave notice, you will be entitled to take that period of leave and this will be confirmed in writing.

If more than one period of leave is requested in a period of leave notice, your manager will seek to accommodate the request but this cannot be guaranteed. Your manager will discuss the request with you to determine if it can be accommodated. If it cannot be accommodated, there may be an alternative pattern of leave which can be agreed, or the request may be refused. The manager's decision will be confirmed in writing.

If no agreement is reached within two weeks of the period of leave notice being submitted you can:

- take the discontinuous periods of leave requested in one continuous block, beginning on the original start date
- take the continuous block starting on a new date, as long as the new date is later than the original start date, and you notify the employer of the new date within five days of the two week period referred to above
- withdraw the request at any time up to the 15th day after it was originally made. If the request is withdrawn in these circumstances it will not count as one of your three requests.

Varying a period of leave

You are entitled to submit a request to vary a period of leave in the following ways:

- vary the start or end date as long as the variation is requested at least eight weeks before the original start date and the new start date
- vary or cancel the amount of leave requested at least eight weeks before the original start date
- request that a single period of leave become a discontinuous period of leave, or vice versa.

A variation will count as one of your three period of leave notices unless:

- it is made as a result of the child being born earlier or later than the expected week of childbirth
- the employer has requested the variation
- the employer has agreed to accept more than three period of leave notices.

The usual eight-week notice requirement may be modified if your child is born early and the new start date for the period of leave is the same length of time following the birth as in the original notice. In this case notice to vary the start date should be given as soon as reasonably practicable after the birth of the child.

Evidence requirements

The employer may request a copy of the child's birth certificate and the name and address of the other parent's employer.

In the case of adoption, the employer may request the name and address of the other parent's employer, along with evidence confirming the following:

- the name and address of the adoption agency
- the date that the main adopter was notified of having been matched for adoption with the child
- the date on which the adoption agency expects to place the child.

Any such request will be made by the employer within 14 days of receiving your notice of entitlement and intention to take SPL and ShPP. You must respond to the request for evidence within 14 days (or within 14 days of the birth of the child if our request was made before the child was born).

If a birth certificate has not yet been issued, you must sign a declaration stating that fact along with the date and location of the child's birth. If the other parent has no employer, this must also be declared.

Keeping in touch during SPL

You may be asked, or may request, to attend work on occasional days during your SPL period.

These days could be for training, to attend department meetings, or just for keeping in touch (KIT). You may work for up to 20 days without bringing the SPL to an end, but work during SPL will not have the effect of extending your SPL period. If you do work, you will be paid your normal rate of pay inclusive of any ShPP entitlement. You are under no obligation to work during SPL, and the employer is under no obligation to offer work.

The 20 KIT days available during SPL are in addition to the 10 KIT days available during maternity and adoption leave.

TERMS AND CONDITIONS DURING SPL

Contractual benefits

You will continue to receive your usual contractual benefits during your SPL period (apart from remuneration).

Holidays

While you are on SPL your contractual holiday entitlement continues to accrue. Your manager will discuss appropriate arrangements for taking your holiday entitlement with you before your SPL starts.

Returning from SPL

If you wish to return early from SPL, or extend the period of your SPL, you must notify the employer at least eight weeks' before both the original end date and the new end date.

If you return to work immediately after a period of SPL which (together with any statutory maternity/adoption leave you may have taken to care for the same child) was 26 weeks or less, you will return to work in the same job that you left.

If you return to work from a period of SPL which (together with any maternity/ adoption leave you may have taken to care for the same child) was 26 weeks or more you will normally be entitled to return to the job in which you were employed before your absence. If that is not reasonably practicable for the employer, then you will return to another job which is both suitable and appropriate in the circumstances.

Your right to return means that you return on terms and conditions no less favourable than those that would have been applied if you had not been absent and with the same level of seniority, pension rights and other similar rights.