



# Maternity, Paternity, Adoption and Shared Parental Leave Policy

## Introduction

This policy applies equally across all Supreme Group businesses (hereafter, “the Company”).

## Aim and Scope

This policy sets out the provisions for Maternity Leave, Paternity Leave, Adoption Leave, and Shared Parental Leave that employees are entitled to, both before and after the birth/adoption of their child.

These provisions apply to all relevant employees subject to any qualifying conditions required by statutory regulations.

The rules in these areas can be complex and employees should consider all options carefully as, under certain circumstances, arrangements may impact, for example, pension contributions or any workplace loan arrangements.

## General Principles

An employee can start their Maternity/Adoption/Paternity/Shared Parental Leave (and be paid accordingly) on any day of the week but to simplify the administration the Company would encourage you to start your leave at the beginning of the working week if possible.

Employees can change their mind about when to start their Maternity/Adoption/Paternity Leave, providing they notify HR in writing, in advance (unless this is not reasonably practical). HR will respond within 28 days and the response will include the latest date the Company expects you to return to work (if you’re taking your entitlement).

The Company has a legal obligation to consider the health and safety of pregnant employees and will conduct a person specific risk assessment which may result in reasonable adjustments being made to a person’s working arrangements.

## Maternity Leave

### Ante-natal care

An employee will be allowed paid time off to receive antenatal care. After the first appointment, the employee should produce an appointment card, if requested by their manager.

### Maternity Leave entitlements

Maternity leave is available to all Company employees and the length of time available is dependent on length of continuous service and the Expected Week of Childbirth (EWC).

If the employee has:

- Less than 26 weeks’ service at the 15th week prior to EWC: (i.e. less than 41 weeks’ service prior to the due date), The employee is entitled to claim 39 weeks’ statutory maternity leave

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directly from the Department for Work and Pension (DWP) with the option of 13 weeks additional unpaid leave. There is no payment from the Company.

- More than 26 weeks' service but less than 52 weeks' service at 15th week prior to EWC. (i.e. between 41 and 63 weeks service prior to the due date) The employee is entitled to ordinary maternity leave and pay and optional additional maternity leave.
- More than 52 weeks' service at the 11th week prior to EWC. (i.e. more than 63 weeks' service prior to the due date). The employee is entitled to an enhanced 40 week maternity scheme plus an optional 12 weeks' additional maternity leave (unpaid).

### **Ordinary Maternity Leave (Paid)**

Employees who have more than 26 weeks' continuous service before the 15th week before the EWC are entitled to 39 weeks Ordinary Maternity Leave. Ordinary Maternity Leave is based on the statutory entitlement and is made up of the following:

- First 6 weeks at 90% of a normal week's pay offset against SMP
- The following 33 weeks at the lower of the current SMP rate or 90% of average weekly earnings.

For employees who have less than 26 weeks continuous service prior to the 15 weeks before the EWC, ordinary maternity leave is unpaid.

### **Additional Maternity Leave (Unpaid)**

All employees have the option of taking up to 13 weeks' unpaid Additional Maternity Leave and therefore have the ability to take up to 1 year off work whilst retaining full employment rights. Additional Maternity Leave will start immediately after any period of paid maternity leave and will continue for up to a further 13 weeks unpaid.

### **Enhanced Maternity Leave (Occupational)**

Employees with 12 months or more continuous service at the beginning of the 11th week before EWC are entitled to 40 weeks' paid leave based on the following:

- First 6 weeks at 90% of a normal week's pay offset against SMP
- Following 10 weeks at full pay offset against SMP
- Following 10 weeks at half pay plus SMP.
- Final 14 weeks at half pay offset against the remainder of SMP.

An optional 12 weeks unpaid Additional Maternity Pay is also available (see above).

All Maternity entitlements will be based upon continuous service at the qualifying week.

### **Employees on fixed term contract**

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Employees on a Fixed Term Contract shall be entitled to paid maternity leave on the same basis as permanent employees. Where their contract expires during or at the end of their maternity leave, they shall be treated in the same way as permanent employees whose post is made redundant during or at the end of their maternity leave.

### **Keeping in touch days (optional)**

These days allow an employee to return to work to access departmental/Company training, meetings etc. during their leave and is dependent on the agreement of the employee.

Employees are entitled to return to work for up to 10 mutually agreed 'Keeping In Touch' days during any period of either paid or unpaid maternity Leave, without losing any of their maternity pay entitlement.

The Company will pay the employee at the rate of '1 normal day's pay' (offset against any statutory or contractual payment already being made for the same day). Managers must notify HR before the normal payroll deadline in order to make the salary adjustment for the following month's pay run and how many days they need to be paid.

The Company is entitled to make reasonable contact with an employee during their period of leave and managers should notify employees of any changes which may affect them during their absence or when they return to work and will comply with consultation procedures.

### **Moving from Maternity Leave to Shared Parental Leave**

If you decide to opt for Shared Parental Leave, you'll be required to end your Maternity Leave, either by returning to work and then opting into the Shared Parental Leave scheme, or by giving the Company written notice that you wish to end your Maternity Leave on a future date.

It is a statutory requirement that you must take at least 2 weeks' Maternity Leave after the birth of your child; this will also apply before you can change to Shared Parental Leave.

Your notice to end your Maternity Leave will be binding unless:

- You're not eligible for Shared Parental Leave
- Your partner dies.
- You revoke your notice.

### **Returning to work after maternity leave**

Before starting maternity leave, employees should notify their line manager and HR in writing of their estimated return to work date. HR will confirm this in writing to the employee and their line manager.

If the employee intends to vary this date after maternity leave has commenced, they should confirm this in writing to their line manager at least 8 weeks before the original or revised date, whichever is the soonest.

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An employee has the right to return from maternity leave to their substantive post held prior to commencing maternity leave. Where the post no longer exists via deletion or redundancy, or where a fixed term contract has expired and not been renewed, then all attempts to include the employee in any consultation and selection processes should be made including finding suitable alternative employment on similar terms and conditions.

A woman on maternity leave whose post is redundant is entitled to be offered any suitable alternative employment, they have priority over other employees for this. From April 2024, there is an additional protected period which will end 18 months after the expected week of childbirth, unless the employee has informed the Company of the date of their child's birth, in which case the additional protected period will end 18 months after that date. Additionally, the above also applies to any employee from the date that they have informed the Company of their pregnancy.

If an employee is unable to return to work at the end of the maternity leave because of a pregnancy or childbirth related illness then a doctor's medical certificate must be submitted and advice from HR must be sought.

### **Maternity Leave and Sickness Leave**

Maternity leave will not be treated as sick leave and will not be taken into account for calculating entitlement to sickness leave.

### **Adoption Leave**

#### **Adoption Leave Entitlement**

The Company's adoption scheme is equivalent to its existing maternity schemes.

Adoption leave is available to all employees who adopt from the UK or a recognised overseas adoption agency and who have obtained a certificate of adoption. The entitlement is dependent on the length of continuous service and proposed 'week of matching'.

Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's children.

If the employee has:

Less than 52 weeks service at the 'week of matching':

- You're entitled to 26 weeks' Statutory Ordinary Adoption Leave with the option of up to a further 26 weeks Additional Adoption Leave.
- You can receive Statutory Adoption Pay (SAP) for up to 39 weeks of your Adoption Leave.

More than 52 weeks service at 'week of matching':

- The employee is entitled to enhanced 40 week adoption scheme plus optional 12 weeks additional adoption leave.

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### **Ordinary Adoption Leave (Paid)**

Employees who have more than 26 weeks continuous service before the ‘week of matching’ are entitled to 39 weeks Ordinary Adoption Leave irrespective of their start date. Ordinary adoption leave is based on the statutory requirement and is made up of the following:

- First 6 weeks at 90% of a normal week’s pay offset against SAP
- Following 33 weeks at the lower of the current SAP rate or 90% of average weekly earnings

For employees who have less than 26 weeks’ continuous service prior to the ‘week of matching’, ordinary maternity leave is unpaid by the Company and they should consider applying to their local Jobcentre Plus/Social Security Office for adoption allowance.

### **Additional Adoption Leave (Unpaid)**

Employees have the option of taking up to 13 weeks’ unpaid additional adoption leave and therefore have the ability to take up to 1 year off work whilst retaining full employment rights. Additional adoption leave will start immediately after any period of adoption leave and will continue for up to up to a further 13 weeks unpaid.

### **Enhanced Adoption Leave (Occupational)**

Employees with 12 months or more continuous service at the point of notification they have been matched with a child, prior to the ‘week of matching’ are entitled to 40 weeks paid adoption leave based on the following:

- First 6 weeks at 90% of normal week’s pay offset against SAP
- Following 10 weeks at full pay offset against SAP
- Following 10 weeks at half pay plus SAP
- Final 14 weeks at half pay offset against the remainder of SAP

An optional 12 weeks’ unpaid additional adoption leave is also available (see above).

All adoption entitlements will be based on the length of continuous service at the ‘week of matching’.

### **Employees on a Fixed Term Contract**

Employees on a Fixed Term Contract shall be entitled to paid adoption leave on the same basis as permanent employees. Where their contract expires during or at the end of their adoption leave, they shall be treated in the same way as permanent employees whose post is made redundant during or at the end of their adoption leave.

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## **Paternity Leave**

### **Paternity Leave Entitlement**

Less than 26 week's service

If you have less than 26 weeks' service at the 15th week prior to the Expected Week of Confinement (EWC) (or for adoption cases, less than 26 weeks service at the 'week of matching'), You don't satisfy the eligibility conditions for Statutory Paternity Leave.

More than 26 weeks but less than 52 weeks' service

If you have more than 26 weeks' service but less than 52 weeks' service at the 15th week prior to EWC (or for adoption cases, more than 26 weeks' service but less than 52 weeks' service at the 'week of matching') You're entitled to Statutory Paternity Leave of 1 or 2 weeks and Statutory Paternity Pay.

You are also entitled to take Statutory Shared Parental Leave, provided that you meet the statutory eligibility conditions and provided that your partner has opted to end her maternity/adoption leave.

More than 52 weeks' service

If you have more than 52 weeks' service at the 11th week prior to EWC (or for adoption cases, more than 52 weeks service at the 'week of matching') You're entitled to Statutory Paternity Leave of 1 or 2 weeks and Statutory Paternity Pay. Provided that you have not opted for Enhance Shared Parental Leave.

### **Statutory Paternity Leave**

#### **Eligibility for Paternity Leave**

To be eligible for Statutory Paternity Leave you must be taking time off to look after the child, and be one of the following:

- The father;
- The husband or partner of the mother (or adopter);
- The child's adopter;

Eligibility for Statutory Paternity Leave you must also:

- Be an employee of the Company;
- Have worked for the Company continuously for at least 26 weeks by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week'), or for adoptions cases, have at least 26 weeks' service at the 'week of matching'

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- Give the correct notice.

To be eligible for Statutory Paternity Pay you must:

- Have worked for the Company continuously for at least 26 weeks by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week');
- Be employed by the Company up to the date of birth;
- Earn at least £111 a week (before tax);
- Give us 28 days' written notice.

### **Paternity Leave Duration**

You can take either 1 or 2 weeks' Statutory Paternity Leave. You'll get the same amount of leave if your partner has a multiple birth (e.g. twins).

Employees can take either 1 or 2 weeks' leave. If the employee is taking 2 weeks, they can either be taken consecutively or separately. Paternity leave can now be split into two blocks of one week at any point in the first year after the birth of the child.

### **For Births – Paternity Leave Start and End Dates**

Statutory Paternity Leave cannot start before the birth however, it must be taken at any point in the first 52 weeks of the birth of the child.

An employee must give the Company at least 28 days' notice if they want to change their start date.

### **For Births – Applying for Paternity Leave**

An employee must tell the Company at least 15 weeks before the week the baby is expected:

- The baby's due date;
- when you want your leave to start (e.g. the day of the birth or the week after the birth);
- if you want 1 or 2 weeks' leave.

### **For Adoptions – Paternity Leave Start and End Dates**

Statutory Paternity Leave can start from the date of placement of the child, or it can be taken at any point in the first year after the adoption of the child.

For overseas adoptions, Statutory Paternity Leave can start from the date the child arrives in the UK or it can be taken at any point in the first year after the adoption of the child.

An employee must give the Company at least 28 days' notice if they want to change their start date.

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## Other Rights

During Paternity Leave employees retain their normal employment rights, including the right to pay rises, to accrue annual leave, and they have protected rights to return to their job.

Employees have the right to attend up to 2 antenatal classes with paid time off, if they are the father, or the mother's spouse, or they're living in a long term relationship with the mother.

## Shared Parental Leave (SPL)

### Shared Parental Leave Entitlement

Less than 26 weeks' service;

If you have less than 26 weeks' service at the 15th week prior to your Expected Week of Confinement (EWC) (i.e. less than 41 weeks' service prior to the due date) an employee doesn't satisfy the eligibility conditions for either Statutory or Company Shared Parental Leave.

More than 26 weeks, but less than 52 weeks' service;

If you have more than 26 weeks service at the 15th week prior to EWC (or for adoptions cases, less than 26 weeks' service at the 'week of matching') an employee is entitled to the Company's Maternity Support Leave of up to 10 days fully paid.

An employee is also entitled to take Statutory Shared Parental Leave, provided they meet the statutory eligibility conditions and provided the employee and their partner have opted to end maternity, paternity or adoption leave or maternity support leave.

Shared Parental Leave and Pay cannot begin before the birth, or placement for adoption, and all leave must be taken within one year of the birth or the date that the child was placed with the family (i.e. the day before the child's first birthday or the anniversary of the placement of an adopted child).

It is a statutory requirement that the mother must take at least 2 weeks' Maternity Leave after the birth of the child before any change to Shared Parental Leave can be made.

Shared Parental Leave (SPL) can be complicated. The Company, not unreasonably, expects employees to discuss any plans for SPL with their line manager/HR at as early a stage as possible. This ensures the maximum opportunity to explore options and enable the line manager/HR to consider all appropriate plans.

Full and comprehensive details of the latest entitlements, options, qualifying criteria and other considerations are available from HR.

## Fraudulent Claims

Where there is a suspicion that fraudulent information may have been provided, or where the Company has been informed by HMRC that a fraudulent claim was made, we can investigate the matter further in accordance with Company disciplinary procedures, and without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

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In the event of a confirmed fraudulent claim, disciplinary action may be considered up to and including dismissal without notice.

### **Policy Review**

This policy will be reviewed at least annually or sooner in the event of legislative changes. All amendments will be communicated throughout the Company.

Signed By: ***Muhammad Khan***

CEO of SUPREME FACILITIES LTD

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