

SLOUGH BAPTIST CHURCH POLICY	Maternity and Paternity Policy
POLICY NUMBER: SBCP-20	



Primary Responsibility:	Secretary	
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DISTRIBUTION

Original	Slough Baptist Church Office
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1. Purpose and Scope

As an employee, if you or your partner become pregnant you may be entitled to statutory maternity / paternity or parental leave and pay. If you are adopting a child, similar rights apply. The church will help you to obtain advice on these matters.

If you are the parent of a young child, your employer has a duty to consider requests for flexible working. The church will help you obtain advice on these matters.

This policy is taken from pages 13-15 of "Guideline Leaflet L08: Employment" (Date of Issue: April 2021), the guidelines for the leaflet state:

All churches that employ staff (other than a Minister) need to read this leaflet. It offers comprehensive advice on employment law and was written in conjunction with our solicitors. It contains a model employment contract and other model policies and procedures.

The entire policy can be downloaded from https://www.baptist.org.uk/Articles/368689/BUC_Guideline_Leaflet.aspx

The current (April 2021) requirements are as follows but these change from time to time with legislation.

2. MATERNITY LEAVE

Pregnant employees should be given paid time off work to attend appointments for antenatal care. A period of 26 weeks' ordinary maternity leave followed by 26 weeks of additional maternity leave is available to all employees irrespective of length of service (52 weeks in total).

Statutory maternity pay is payable at the rate of 90% of the employee's normal weekly earnings for the first six weeks and at a flat rate of £172.48 (or 90% of the employee's normal weekly earnings if that is lower) for up to 33 further weeks.

In order to claim maternity pay an employee must have:

- 26 weeks' continuous service up to and including the 15th week before the expected week of childbirth;
- Become pregnant and have reached or given birth before reaching the start of the 11th week before the expected week of childbirth;
- Have started a period of maternity leave;
- Average weekly earnings for the 8 weeks up to and including the 15th week before the expected week of childbirth equal to at least the lower earnings limit for the payment of primary class one national insurance contributions, currently £123;
- Given 28 days' notice to her employer of the date when she expects liability for statutory maternity pay to begin or if 28 days' notice was not reasonably practicable, such lesser notice as was practicable;
- Produced medical evidence of the pregnancy and of the expected week of childbirth, such as "a letter from your doctor or midwife OR your MATB1 certificate - doctors and midwives will give you this no more than 20 weeks before the due date". This evidence must be provided "Within 21 days of your SMP start date (or as soon as possible if the baby's born early)".

A calculator for statutory maternity pay and leave can be found here <https://www.gov.uk/maternity-paternity-calculator>

An employee who does not qualify for statutory maternity pay may be entitled to claim maternity allowance instead. Further details can be found here <https://www.gov.uk/maternity-allowance>

3. PATERNITY LEAVE

Fathers who have completed 26 weeks' continuous service ending with the week preceding the fourteenth week before the expected week of childbirth may take two weeks' paternity leave within 56 days of the child's birth.

The father should be paid statutory paternity pay at the rate of £172.48 per week (or 90% of the employee's normal weekly earnings if that is lower).

Fathers must give their employer 28 days' notice of their intention to take paternity leave.

More detail on paternity leave and calculating statutory paternity pay can be found here <https://www.gov.uk/employers-paternity-pay-leave>

4. SHARED PARENTAL LEAVE

Employees may be entitled to Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP).

Employees can start SPL if they're eligible and they or their partner end their maternity or adoption leave or pay early. The remaining leave will be available as SPL. The remaining pay may be available as ShPP. (ShPP is paid at the same rate as SMP). Sometimes only one parent in a couple will be eligible to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP). This means that they can't share the leave.

Eligible employees can take SPL in up to 3 separate blocks. They can also share the leave with their partner if they're also eligible. Parents can choose how much of the SPL each of them will take.

For example, a mother could end her maternity leave after 12 weeks, leaving 40 weeks (of the total 52 week entitlement) available for SPL. If both the mother and her partner are eligible, they can share the 40 weeks. They can take the leave at the same time or separately.

SPL and ShPP must be taken between the baby's birth and first birthday (or within 1 year of adoption).

To qualify for SPL, the child's mother (or adoptive parent) must be eligible for either [maternity leave or pay](#), [Maternity Allowance](#) or [adoption leave or pay](#).

Your employee must also:

- have worked for you continuously for at least 26 weeks by the end of the 15th week before the due date (or date they are matched with their adopted child);
- still be employed by you while they take SPL;
- give you the correct notice including a declaration that their partner meets the employment and income requirements which allow your employee to get SPL.

5. ADOPTIVE PARENTS

Parents who adopt a child will be entitled to up to 52 weeks' Statutory Adoption Leave (the first 26 weeks is known as 'Ordinary Adoption Leave', the last 26 weeks as 'Additional Adoption Leave') commencing either on the date on which the child is placed for adoption or on a date no more than 14 days before the expected date of placement.

To be eligible for adoption leave, a parent must have completed 26 weeks' service by the time they are matched with a child.

Where a couple jointly adopt, only one of them will be entitled to take adoption leave but the other parent will be entitled to take statutory paternity leave.

The employee must give the employer notice of their intention to take adoption leave within seven days of being notified of having been matched with a child.

Statutory adoption pay is payable at the rate of 90% of the employee's normal weekly earnings for the first six weeks and at a flat rate of £172.48 (or 90% of the employee's normal weekly earnings if that is lower) for up to 33 further weeks.

There are no specific rights for foster parents.

6. PARENTAL LEAVE

Employees with at least one year's continuous service are entitled to take unpaid parental (called 'Ordinary Parental Leave') for the purpose of caring for the child if they are the parent of a child who is under 18 years old, or if they have adopted a child under the age of 18. Employees may take a maximum of 18 weeks' unpaid parental leave. The employee's right to take leave lasts until a child's 18th birthday. Ordinary parental leave is available for each child. If an employee has, for example, two children under the age of 18, he or she may take 18 weeks' unpaid parental leave in respect of each of those children.

Leave can be taken in blocks or multiples of one week (unless the child has a disability in which case leave may be taken in blocks of one day) and employees may be required to give notice of their intention to take leave. Employees may only take four weeks' leave in any twelve-month period and leave may be postponed by the church for up to six months where the work of the church would be unduly disrupted. However, leave cannot be postponed when the employee gives notice to take it immediately after the time the child is born or is placed with the family for adoption.

7. PARENTAL BEREAVEMENT LEAVE

Bereaved parents of a child who dies have a right to take up to two weeks' parental bereavement leave with pay at £172.48 per week, or 90% of their average weekly earnings, whichever is lower. This right also applies to stillbirths occurring after 24 weeks of pregnancy. More information can be found here <https://www.acas.org.uk/time-off-for-bereavement/parental-bereavement-leave-pay> .