



**APRIL COMPLETE CARE SOLUTIONS LTD
(The “Company”)**

Maternity/P Policy

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1. Overview

When you take time off to have a baby you might be eligible for:

- Statutory Maternity Leave
- Statutory Maternity Pay
- paid time off for antenatal care
- extra help (<https://www.gov.uk/maternity-pay-leave/extra-help>) from the government

There are rules on when and how to claim your paid leave and if you want to change your dates You can work out your maternity pay and leave online.

Employment rights when on leave

Your employment rights (<https://www.gov.uk/employee-rights-when-on-leave>) are protected while on Statutory Maternity Leave.

- This includes your right to:
- pay rises
- build up (accrue) holiday
- return to work

2. Leave

Statutory Maternity Leave is 52 weeks. It's made up of:

- Ordinary Maternity Leave - first 26 weeks
- Additional Maternity Leave - last 26 weeks

You don't have to take 52 weeks but you must take 2 weeks' leave after your baby is born (or 4 weeks if you work in a factory).

You may also be eligible to get Shared Parental Leave and Pay

Usually, the earliest you can start your leave is 11 weeks before the expected week of childbirth. Leave will also start:

- the day after the birth if the baby is early
- automatically if you're off work for a pregnancy-related illness in the 4 weeks before the week (Sunday to Saturday) that your baby is due

You must give your employer at least 8 weeks' notice if you want to change your return to work date.

3. Pay

Statutory Maternity Pay (SMP) is paid for up to 39 weeks.

You get:

- 90% of your average weekly earnings (before tax) for the first 6 weeks
- £156.66* or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

SMP is paid in the same way as your wages (eg monthly or weekly). Tax and National Insurance will be deducted.

If you take Shared Parental Leave you'll get Statutory Shared Parental Pay (ShPP). ShPP is £156.66* a week or 90% of your average weekly earnings, whichever is lower.

**Please refer to HMRC for current years rates as these are subject to change.*

Maternity pay and Leave

SMP usually starts when you take your maternity leave.

It starts automatically if you're off work for a pregnancy-related illness in the 4 weeks before the week (Sunday to Saturday) that your baby is due.

Problems and disputes

Ask your employer to explain your SMP if you think it's not right. If you disagree about the amount or your employer can't pay (eg because they're insolvent), call the HM Revenue and Customs (HMRC) enquiry line

4. Eligibility

You qualify for Statutory Maternity Leave if:

- you're an employee not a 'worker'
- you give your employer the correct notice

It doesn't matter how long you've been with your employer, how many hours you work or how much you get paid.

Statutory Maternity Pay (SMP)

To qualify for SMP you must:

- earn on average at least £112* a week
- give the correct notice
- give proof you're pregnant have worked for your employer for at least 26 weeks up to the 'qualifying week' - the 15th week before the expected week of childbirth

**Please refer to HMRC for current years rates as these are subject to change every year.*

You can't get SMP if you go into police custody during your maternity pay period. It won't restart when you're discharged.

Early births or you lose your baby

You can't get Statutory Maternity Leave if you have a child through surrogacy - you could get Statutory Adoption Leave and Pay (<https://www.gov.uk/employers-adoption-pay-leave>) instead.

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You can still get Statutory Maternity Leave and SMP if your baby:

- is born early
- is stillborn after the start of your 24th week of pregnancy dies after being born
- If you're not eligible for SMP
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Your employer must give you form SMP1 explaining why you can't get SMP within 7 days of making their decision.

You could get Maternity Allowance instead.

5. How to claim

Statutory Maternity Leave

At least 15 weeks before your due date, tell your employer when the baby is due and when you want to start your maternity leave .

Your employer can ask for this in writing.

Your employer must write to you within 28 days confirming your start and end dates.

Statutory Maternity Pay (SMP)

Tell your employer you want to stop work to have a baby and the day you want your SMP to start.

You must give them at least 28 days' notice (in writing if they ask for it) and proof that you're pregnant.

Your employer must confirm within 28 days how much SMP you'll get and when it will start and stop.

If they decide you're not eligible, they must give you form SMP1 within 7 days of making their decision and explain why.

Proof you're pregnant

You need to give your employer proof of the pregnancy to get SMP. You don't need it for maternity leave.

Within 21 days of your SMP start date (or as soon as possible if the baby's born early) give your employer either:

- a letter from your doctor or midwife
- your MATB1 certificate - doctors and midwives will give you this no more than 20 weeks before the due date

6. Extra help

Maternity benefits

Use a benefits calculator to see what help you can get from:

- Child Benefit
- Child Tax Credit
- Working Tax Credit - this can continue for 39 weeks after you go on maternity leave
Income Support - you may get this while you're not working

You could get a £500 Sure Start Maternity Grant (usually if it's your first child).

If you're not eligible for Statutory Maternity Pay, you could get Maternity Allowance from the government.

Company maternity schemes

You might get more than the statutory amount of leave and pay if your employer has a company maternity scheme. They can't offer you less than the statutory amount.

Extra leave

You could get 18 weeks' unpaid parental leave after the birth - this may be restricted to 4 weeks per year.

PATERNITY PAY AND LEAVE

1. Overview

When you take time off because your partner's having a baby, adopting a child or having a baby through a surrogacy arrangement you might be eligible for:

- 1 or 2 weeks paid Paternity Leave
- up to 26 weeks' paid Additional Paternity Leave, if your child was due or placed for adoption before 5 April 2015
- Shared Parental Leave, if your child was due or placed for adoption on or after 5 April 2015

You can only get Additional Paternity Leave if your partner returns to work.

You may not get both leave and pay, and there are rules on how to claim and when your leave can start.

Work out your paternity leave dates online.

Employment rights when on leave

Your employment rights are protected while on paternity leave. This includes your right to:

- pay rises
- build up (accrue) holiday
- return to work

You can get time off to accompany your partner (or the surrogate mother) to 2 antenatal appointments.

If you're adopting a child, you can get time off to attend 2 adoption appointments after you've been matched with a child.

2. Leave

Paternity Leave

You could get either 1 or 2 weeks. You get the same amount of leave if your partner has a multiple birth (eg twins).

You must take your leave in one go. A week is the same amount of days that you normally work in a week, eg if you only work on Mondays and Tuesdays a week is 2 days.

Start and end dates

Leave can't start before the birth. It must end within 56 days of the birth.

You must give your employer 28 days' notice if you want to change your start date.

You don't have to give a precise date when you want to take leave (eg 1 February). Instead you can give the general time, eg the day of the birth or 1 week after the birth.

The rules are different if you adopt.

Use the paternity planner to work out when to take your leave.

Shared Parental Leave

You may also be eligible for Shared Parental Leave if your child was due or placed for adoption on or after 5 April 2015.

Additional Paternity Leave

Use the paternity planner to work out when to take your additional leave.

You could get between 2 and 26 weeks depending on how much unused maternity (or adoption) leave your partner has.

You'll only be able to take Additional Paternity Leave if your child was due or placed for adoption before 5 April 2015. You may be eligible for Shared Parental Leave and Pay if your baby is due or placed for adoption on or after 5 April 2015.

Start and end dates

Your employer must confirm your start and end dates when you claim your leave.

Leave can start 20 weeks after the birth, adoption or child's arrival in the UK (overseas adoptions) if your partner has returned to work.

It must stop on the child's 1st birthday, or within 1 year of the date the child started living with you if the child was adopted.

You must give your employer 6 weeks' notice if you want to change your additional leave start or end date.

You could get more leave if your employer has a company paternity scheme - they can't offer you less than the statutory amounts.

Leave for antenatal appointments

You can take unpaid leave to accompany a pregnant woman to 2 antenatal appointments if you're:

- the baby's father
- the expectant mother's spouse or civil partner
- in a long-term relationship with the expectant mother
- the intended parent (if you're having a baby through a surrogacy arrangement)

You can take up to 6 and a half hours per appointment. Your employer can choose to give you longer.

You can apply for leave immediately if you're a permanent employee. You'll need to have been doing a job for 12 weeks before you qualify if you're an agency worker.

3. Pay

The statutory weekly rate of Paternity Pay and Additional Paternity Pay is £156.66* (2022), or 90% of your average weekly earnings (whichever is lower).

**Please refer to HMRC for current years rates as these are subject to change.*

Any money you get is paid in the same way as your wages, eg monthly or weekly. Tax and National Insurance will be deducted.

Start and end dates

The money is usually paid while you're on leave. Your employer must confirm the start and end dates for your Paternity Pay when you claim it.

Any Additional Paternity Leave taken after the end of your partner's Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Pay period is unpaid.

To change the start date you must give your employer 28 days' notice.

You could get more pay if your employer has a company paternity scheme - they can't offer you less than the statutory amounts.

4. Eligibility

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
- the intended parent (if you're having a baby through a surrogacy arrangement)

There are extra conditions you need to meet to qualify for leave and pay or additional leave or pay.

You can't get paternity pay and leave if you've taken paid time off to attend adoption appointments

Paternity Leave

You must:

- be an employee
- have worked for your employer continuously for at least 26 weeks by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week')
- give the correct notice

The 'qualifying week' is different if you adopt.

Paternity Pay

You must:

- have worked for your employer 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 your employer up to the date of birth
- earn at least £112* a week (before tax)
- give the correct notice

The 'qualifying week' is different if you adopt.

**Please refer to HMRC for current years rates as these are subject to change.*

Additional Paternity Leave and Pay

The child's mother or adopter must have qualified for one of these:

- Statutory Maternity Leave or Pay
- Maternity Allowance
- Statutory Adoption Leave or Pay

They must have returned to work and no longer be getting any of the above.

You must:

- have worked for your employer continuously for at least 26 weeks by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week')
- still be employed by your employer the week (Saturday to Sunday) before your leave or pay starts
- earn on average at least £112* a week (before tax) (Additional Statutory Paternity Pay only)
- confirm the start and end dates of your partner's leave
- confirm your partner has at least 2 weeks left of their maternity or adoption pay (Additional Statutory Paternity Pay only)
- give the correct notice

You'll only be able to take Additional Paternity Leave if your child was due or placed for adoption before 5 April 2015. You may be eligible for Shared Parental Leave and Pay if your baby is due or placed for adoption on or after 5 April 2015.

The 'qualifying week' is different if you adopt.

**Please refer to HMRC for current years rates as these are subject to change.*

If you lose your baby

You can still get Paternity Leave or pay if your baby is:

- stillborn from 24 weeks of pregnancy
- born alive at any point during the pregnancy

If you're not eligible

Your employer must tell you within 28 days if you don't qualify and why using form SPP1 (or ASPP1 if you've applied for Additional Paternity Leave or Pay).

5. How to claim

Paternity Leave

You must tell your employer at least 15 weeks before the week the baby is expected:

- the baby's due date
- when you want your leave to start, eg the day of the birth or the week after the birth
- if you want 1 or 2 weeks' leave

Work out when to tell your employer you want Paternity Leave online.

Your employer can ask for this in writing. You can ask for Paternity Pay at the same time, if you use form SC3 (or your employer's own version).

The rules and forms are different if you adopt.

Paternity Pay

You must give your employer form SC3 (or their own version) at least 15 weeks before the week the baby is expected.

The rules and forms are different if you adopt.

For Paternity Leave and Pay you don't need proof of the pregnancy or birth - the rules are different if you adopt.

Additional Paternity Leave and Pay

You must give your employer at least 8 weeks' notice before you want your period of additional pay or leave to start (this doesn't apply if the mother or adopter has died). Give your employer the appropriate form (or their own version) depending on whether you're:

- having a baby (form SC7)
- adopting in the UK (form SC8)
- adopting from overseas (form SC9)
- caring for a child whose mother or adopter has died (form SC10)

Your employer can ask for:

- a copy of your child's birth certificate or adoption matching certificate
- the employment details of the mother or adopter

You'll need to provide this information within 28 days.

6. Adoption and surrogacy

Eligibility

You must have worked for your employer continuously for at least 26 weeks by the 'matching week'. For adoption this is either:

- the end of the week you're matched with the child (UK adoptions)
- the date the child enters the UK or when you want your pay to start (overseas adoptions)

You must also meet the other eligibility conditions for paternity leave or pay.

Start and end dates - Paternity Leave

Your period of Paternity Leave can start:

- on the date of placement
- an agreed number of days after the date of placement
- on the date the child arrives in the UK or an agreed number of days after this (overseas adoptions only)
- the day the child's born or the day after if you're working that day (surrogate parents)

Leave must be taken within 56 days of the date of placement or the child's arrival in the UK (overseas adoptions).

You must give your employer 28 days' notice if you want to change your start date.

How to claim - Paternity Leave or Pay

You must use form SC4 (or your employer's own version) for:

- leave - no later than 7 days of your co-adopter or partner being matched with a child
- pay - 28 days before you want your pay to start

For overseas adoptions the form and notice period is different. The process is explained on form SC5.

Proof of adoption

You must give your employer proof of adoption to qualify for Additional Paternity Pay. Proof isn't needed for Paternity Leave unless your employer asks for it.

Proof can be a letter from your adoption agency or the matching certificate.

You'll need to provide this information within 28 days.

Surrogacy arrangements

If you use a surrogate to have a baby, the baby must be due on or after 5 April 2015 for you to be eligible for Paternity Pay and Leave.

You must:

- be in a couple
- be responsible for the child (with your partner)
- have worked for your employer continuously for at least 26 weeks by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week')

At least 15 weeks before the due date, tell your employer when the baby is due and when you want to start your leave - they may ask for this in writing.

Your employer may ask for a written statement to confirm you intend to apply for a parental order in the 6 months after the child's birth. You must sign this in the presence of a legal professional.

You can't get Paternity Leave if you take Shared Parental Leave