**Family Friendly Umbrella Policy**

**Purpose**

The area of family friendly policies covers a complicated area of legislation including maternity, paternity, adoption leave and pay, shared parental leave, parental leave, time off to cover emergencies involving dependants, and the right to ask for flexible working patterns. Additionally Platform wishes to make extra provision where possible. This results in a complicated policy area and to simplify it as much as possible seperate policies have been drawn up. However there are some general principles that underpin all of the policies that are outlined below in the section General Principles. Additionally there are some practical issues that are the same across all the policies these are also detailed below. This policy also specifies the statutory provisions and where Platform wishes to go further than those provisions. It also translates the statutory language of “Maternity Policy” and “Paternity Policy” into our own language and signposts where the different policies can be found.

**General principles**

Maternity, paternity, adoption and shared parental leave are areas that are covered by legislation. While Platform welcomes the improvements to legislation to make workplaces more family friendly it wishes to go further and support parents particularly in less traditional nuclear situations. This will mean that in additional to the statutory allowance Platform will try to be flexible and accommodating within what is possible with the resource constraints under which Platform works.

Platform also recognises that the current legislation and general policies are worded in quite gendered ways possibly excluding those people who do not fit into traditional gender identities who wish to become parents. In this suite of policies we have attempted to move away from that gendered language and the ideas behind that language. This has not always been completely successful as there is a need to refer back to the statutory framework and sometimes the language can be somewhat “clunky” as a result. Not all of the terms will be ones everyone agrees with however we felt it was an important undertaking to try and make the language more gender neutral. We expect that the language and policies will change over time, as society’s and our thinking changes and better ways to express that thinking becomes clear.

**Legal Framework**

The legal framework states that;

**Maternity leave** 52 weeks Statutory Maternity Leave (**SML**) of which 2 weeks Compulsory Maternity Leave (**CML**). Paid at 90% of average weekly earnings for 6 weeks then 33 weeks Statutory Maternity Pay (**SMP**) – there is no qualification requirements for the leave but there is for the SMP.

**Paternity leave** 2 weeks Ordinary Paternity Leave (**OPL**) paid as Statutory Paternity Pay (**SPP**) - qualification period and pay level as for SMP.

**Adoption leave** 52 weeks Adoption leave of which 39 weeks are paid Statutory Adoption Pay (**SAP)**. Rate is the same as for SMP with similar qualification periods.

**Shared Parental leave** 52 weeks maternity leave can be shared flexibly (after 2 weeks CML) between the mother and her partner (**SPL**). The pay rate remains as for SMP. Qualification requirements apply.

**Parental Leave** 18 weeks leave for a child under 5 (or under 18 if a child is disabled), this is unpaid.

**Time off for dependants** A reasonable time off to deal with family emergencies, (this is unpaid).

**Flexible working** Right to request flexibility in place, time or hours of work, not compulsory. Pay would remain as per contract of employment.

The relevant legislation for the various provisions are covered in the Employment Rights Act 1996, the Employment Relations Act 1999, the Employment Act 2002 and the Work and Families Act 2006. The new shared parental leave (SPL) arrangements are contained in the Children and Families Act 2014.

**Policy**

Due to the complexity of the entitlement and notification each area (maternity leave, paternity leave, shared parental leave etc.) will be dealt with separately. This is not meant to be read as a preference for certain types of relationships or care arrangements. However there are common areas that apply to all the types of leave and they will be detailed below.

**Before taking leave**

As soon as practicable after the employee has notified Platform that the employee intends to take leave, arrangements will be made for the employee to meet with the MG. This will be an informal interview, the purpose of which is to confirm that:

· the employee understand their rights to leave and the requirements to give appropriate notice (see below)

· the right to return to work is explained, together with any potential opportunities for flexible working

· arrangements for time off are known, and any possible health and safety concerns are discussed

· the employee is aware what the entitlements are in their specific situation regarding pay.

**Time off for ante-natal appointments**

Time off for ante-natal visits varies according to the situation, however Platform wishes to enhance the statutory entitlement and allow all ante-natal visits to be taken as paid leave.

**Contractual benefits**

The employee is entitled to their normal terms and conditions of employment, except for terms relating to wages or salary (unless the contract of employment provides otherwise) throughout their leave.

The employee will continue to remain bound by any obligations arising under their contract of employment.

**Holidays**

While the employee is on leave their contractual holiday entitlement continues to accrue. The MG will discuss arrangements for taking the employee’s holiday entitlement with the employee. This may include arranging for the employee taking holidays immediately before and/or after the employee’s leave.

**During leave**

Arrangements will be made for cover of their workload, and the employee will be kept in touch with any important work developments. The MG will discuss with the employee how they wish to be communicated with whilst on leave and what they wish to be communicated with about.

Platform will try to ensure that leave does not cause any long‑term disadvantage to the employee concerning their training needs and self‑development.

The employee is bound during the leave period by their implied obligation to the organisation of good faith and specific terms relating to:

· notice

· disclosure of confidential information

· acceptance of gifts

· whether the employee is participating in any other business.

The disciplinary and grievance procedures continue to apply, as does any entitlement to compensation for redundancy.

**Return to work after leave**

The right to return to the same job depends on the type of leave taken and the length of time the employee was away from work. In some circumstances the employee is entitled to return to the same job in other situations they are only entitled to return to a similar job which has the same or better status, terms and conditions as the old job.

If the employee is entitled to return to the same job, that means a right to return with the seniority, pension rights and similar rights, and on terms and conditions no less favourable than those which would have been applied if the employee had not been absent.

The employee will not be subject to any detriment by Platform because the employee took or sought to take leave.

Platform will deal with any requests by an employee to change their working patterns (such as working part-time) after leave on a case-by-case basis, in accordance with the organisation’s policies which are available on the shared drive. The MG will try to accommodate the employee’s wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the organisation. It is helpful if requests are made as early as possible.

If the employee does not intend to return to work or is unsure, it is helpful if the employee discuss this with Platform as early as possible. If the employee decides not to return the employee should submit their resignation in accordance with the contract of employment. Once the employee has done so the employee will be unable to change their mind without Platform’s agreement.

At least two weeks before the employee is due to return to work, the employee will be invited for an informal meeting with the MG. This is in order to discuss any material points concerning the employee’s return to work. These include:

· updating the employee on developments at work

· considering whether any retraining needs have arisen because of staleness or new technical or other developments. It is our aim to ensure that the employee’s parenting leave does not put the employee at a disadvantage in relation to skills or other training needs

· confirming the details of any agreed flexible working arrangements

· providing the employee with an opportunity to discuss and explain any necessary and unavoidable changes to the employee’s work.

**Redundancy or reduction in hours**

Platform recognises that it is undesirable to make an employee redundant during leave however because of the uncertain nature of all fundraising it may be necessary. Equally there may be occasions where redundancy can be avoided through the reduction of hours across the organisation. Being on maternity or any other type of family leave will not be a reason for being made redundant or being asked to reduce hours. However equally they cannot be the reason to avoid such measures. All situations will be handled in an open transparent manner in consultation with the employee.

**Statutory Provision**

| **Leave entitlement** | **No weeks leave** | **Paid Provision** |
| --- | --- | --- |
| Maternity leave | 52 weeks Statutory maternity leave (SML)  of which 2 weeks Compulsory Maternity Leave (CML) –no qualifying period | Paid 90% of average weekly earnings for 6 weeks then 33 weeks Statutory Maternity Pay (SMP) – qualification period and pay level |
| Paternity leave | 2 weeks Ordinary Paternity Leave (OPL) | Statutory Paternity Pay (SPP) - qualification period and pay level as for SMP |
| Adoption leave | 52 weeks Adoption leave | 39 weeks paid, Statutory Adoption Pay (SAP). Rate is the same as for SMP with similar qualification periods |
| Shared Parental leave | 52 weeks maternity leave can be shared flexibly (after 2 weeks CML) | Pay rate remains as for SMP |
|  |  |  |
| Parental Leave | 18 weeks leave for child under 5 (or under 18 if child is disabled) | Unpaid |
| Time off for dependants  (Employment Rights Act 1996) | A reasonable time off to deal with family emergencies. No notice required as used for emergencies | Not paid |
| Flexible working | Right to request flexibility in place, time or hours of work, not compulsory | Pay would remain as per contract of employment |

**Platform Provision**

Please refer to each policy for details of entitlements and procedures. In order to qualify for this additional provision Platform requires employees to have worked for the organisation for a year before taking their leave. This will, of course, not impact on their eligibility for statutory provision. If an employee doesn’t return from leave Platform may require them to repay the additional provision. This does not apply in cases where they are not returning due to ill health, either their own or that of the child. The repayment will be staged so that if they do not return immediately all the additional provision will be repaid, if they return for 6 months and then resign 50% of the extra provision will be repaid and if they resign after 12 months none of the extra provision will be repaid. A parent can request a return on reduced hours without incurring andy penalty.

|  | Statutory | | | Platform | | |
| --- | --- | --- | --- | --- | --- | --- |
| Leave | Pay | Ante-natal appointments | Leave | Pay | Ante-natal appointments |
| Policy covering pregnant parent (aka Maternity) | 52 wks SML (2 wks CML) | 90% for 6 wks  33 wks at SMP | Paid time off for ante-natal appointments | 52 weeks | 10.5 months leave paid at full pay | Paid time off for ante-natal appointments |
| Policy covering non- pregnant parent (aka Paternity) | 2 wks OPL | 2 wks SPP | Unpaid time off for two appointments | 2 weeks | Full pay | Paid time off for ante-natal appointments |
| Shared parental | 52 wks | Same as SMP | N/A | 52 weeks | The equivalent of 10.5 months leave paid at full pay | N/A |
| Adoption | 52 wks AL | 39 wks SAP (same as SMP) | Named adopter (aka main adopter) paid for 5 appointments  Co-parent (aka 2nd adopter) unpaid for 2 appointments | 52 weeks | 10.5 months leave paid at full pay | Paid time off for ante-natal appointments |
| Surrogacy |  |  | Unpaid for 2 appointments | 52 weeks | 10.5 months leave paid at full pay | Paid time off for ante-natal appointments |
| Co- parenting    Two non- cohabiting parent    Three parents who may or may not be co- habiting/ in relationships | none | None | none |  |  | Paid time off for ante-natal appointments |
| Parental leave | 18 wks | Unpaid | N/A |  |  | N/A |

**Conclusion**

It is the intention of this policy to be a blueprint for a humane relationship between employee and employer that recognizes the domestic responsibilities of employees and seeks to support them. There is an understanding that for the employee this recognition leads to greater sense of commitment to the organization and helps retain staff and reduces recruitment costs, and that staff can work more efficiently when not worrying about aspects of their life outside work. It is hoped it that it will recognize that the traditional nuclear family is no longer the only model that is operating and that other forms of relationship may be as important to the individual as their immediate family.

[1] As per April 2017 – this figure is reviewed yearly.