

Frequently asked questions

These are provided for guidance or quick reference guide only, so please always refer to the policy.

1. Pay during Maternity Leave

1.1 What pay will I be entitled to when I am on maternity leave?

There are 2 types of pay which you may be entitled to during maternity leave, each of these is separately assessed as the eligibility criteria are different.

1. Occupational Maternity Pay (OMP)

The eligibility criteria for OMP are defined in the NHS Terms and Conditions and those for SMP are defined by the Government.

- Your entitlement to Occupational Maternity Pay (OMP) depends on you having 12 months or more continuous NHS service (including that with NHSBT and other NHS employers) as at the beginning of the 11th week before your expected week of childbirth. The details are in NHS Terms and Conditions Handbook; section 15.

2. Statutory Maternity Pay (SMP)

- Your entitlement to Statutory Maternity Pay (SMP) is defined by the government and is based on you having at least 26 weeks' continuous service with NHSBT at the beginning of the 15th week before your expected week of childbirth. Your level of National Insurance (NI) earnings must also meet the minimum level.

If you do not qualify for SMP you may be entitled to Maternity Allowance. NHSBT's Payroll team will let you know and will send you the relevant form so that you can make a claim.

To work out your entitlement for pay you will need to know the date when your Healthcare Professional expects you to give birth (your due date). You should then get a calendar and work back 11 weeks and 15 weeks from the beginning of the week this date falls and mark them on your checklist.

1.2 How is Maternity pay calculated?

The calculation of your maternity pay is based on your average earnings over the last two pay months ending on or before the end of the 15th week before your baby is due. This is described as the 'relevant period'.

Your average earnings level is based on your pay for NI purposes. It will not include salary sacrifices, for example for government childcare support, or payments such as expenses and subsistence. It therefore includes basic pay, sick pay, annual leave, overtime and any arrears of pay. A maternity pay breakdown will be provided by our Payroll team at the beginning of your maternity pay period.

You will need to consider if you wish to continue to receive any government childcare support during the pay months over which your pay is calculated as this may reduce the amount of maternity pay you receive. You should contact HR Direct to discuss this **prior** to the 15th week before your Expected Week of Childbirth (EWC).

1.3 What is Occupational Maternity Pay (OMP)?

Occupational Maternity Pay is pay due under NHS Terms and Conditions (section 15) and is separately assessed from Statutory Maternity Pay. If you are entitled to OMP you will be paid full pay for 8 weeks and half pay for 18 weeks. Entitlement to Occupational Maternity Pay is based on your service with NHSBT/NHS and this is detailed in part 1.1 of this policy and in the NHS Terms and Conditions Handbook; section 15. To receive OMP you must be planning on returning to us or another NHS organisation at the end of your maternity leave.

1.4 What is Statutory Maternity pay (SMP)?

Statutory Maternity Pay is determined by legislation and assessed separately from the OMP you may be entitled to. OMP and SMP are then combined, if you are entitled to both, to determine your overall pay during your leave.

1.5 How is SMP worked out?

Entitlement to SMP depends on you having 15 weeks' continuous service with NHSBT and meeting the NI pay level. SMP pay rates are set by HM Revenue and Customs (HMRC). SMP pay rates are usually reviewed and updated annually. Details can be obtained at www.gov.uk. If you are not entitled to SMP you will be sent a claim form for Maternity Allowance, which may be payable – this is assessed by DWP and is paid direct if due.

1.6 How do I claim Maternity Allowance if I am not entitled to Statutory Maternity Pay?

Our Payroll team will notify you if this is the case. You'll be sent form, SMP1 by our Payroll Department. This should be returned directly to your local Job Centre Plus as Maternity Allowance (MA) is paid direct and not by NHSBT. If you receive MA then you must advise NHSBT Payroll so that any payments being made are adjusted correctly.

1.7 If I want to spread my maternity pay what impact will it have?

You may opt to spread your occupational maternity pay equally over the period of your leave. If you want to consider this, you are strongly advised to request illustrative figure from HR Direct to help you decide if this is the right choice for you. This will significantly reduce the amount paid at the beginning of your leave and extends your pay across a longer period. Overall you will receive the same amount of gross pay, this doesn't take into account the impact of pension, tax or NI contributions, which would be paid as due over the longer period.

1.8 If I am not intending to return to work at the end of my maternity leave will it impact my maternity pay?

Yes, you will not be eligible for Occupational Maternity Pay if you do not intend to return to work with us or another NHS employer. If you are entitled to Statutory Maternity Pay this will be paid;

- 6 weeks at 90 per cent of your average gross weekly earnings with no upper limit
- 33 weeks at the lower of either the standard rate of SMP or 90 per cent of your average gross weekly earnings

If you mark on your maternity form that you do not intend to return to work, this will be accepted and processed as your resignation. You can still take 52 weeks leave, however, you will need to discuss with your manager what date within this period you want your leaving date to be.

If you are not eligible for OMP or SMP then you are entitled to unpaid leave up to 52 weeks only, your contract will end at this point unless you have requested in writing to manager for it to end sooner.

1.9 What happens if I marked on my maternity form that I would be returning to work at the end of my maternity leave and I change my mind?

You will need to write to your manager providing your letter of resignation. If you are receiving OMP at the time of your resignation, it is likely this will be stopped and will be asked to repay any already received. If you have already received OMP you will be required to repay this.

1.10 What happens if I am due a pay award or an incremental increase during maternity leave?

- If this is due **before** your paid maternity leave period begins, your maternity pay will be calculated as though this was in effect during the period maternity pay is calculated. If agreed retrospectively, your maternity pay will be re-calculated on the same basis.
- If this is due **during** your paid maternity leave period, your maternity pay will be increased and recalculated as appropriate, from the date of the pay award or annual increment. If a pay award was agreed retrospectively, your maternity pay will be recalculated on the same basis.
- If you are on unpaid maternity leave when you are due a pay award or annual increment the pay change will be effective from your return to work.

1.11 When can I start my maternity leave?

You can start your leave any time between 11 weeks before the week you expect to give birth and the actual date you expect to give birth.

1.12 What is EWC?

This means 'Expected Week of Childbirth', the week you or your partner is due to give birth. It commences on a Sunday e.g. if you are due to give birth on Tuesday, 18th then the expected week of childbirth would be week commencing Sunday 16th.

1.13 What is a MatB1?

This is the certificate that will be given to you or your partner with the details of when your Healthcare Professional estimates your baby will be born. They will usually issue this after the 20th week of pregnancy stating the date on which your baby is due.

1.14 What happens if my baby is born prematurely?

Your maternity leave would start early and be processed as the day after the birth.

If your baby is born prior to the 11th week before your EWC and has to remain in hospital, you can in agreement with your manager, split your maternity leave. This would mean you taking some while your baby is in hospital (you will have to take a minimum of the first 2 weeks as this is mandatory) but then holding some maternity leave to take when your baby leaves hospital.

1.15 What happens if my baby is still-born?

In the unfortunate event of a still-birth; if your baby is still-born after the 24th week of pregnancy, you will be entitled to the same amount of maternity leave and pay as if your baby was born alive. Your partner will also be entitled to the usual Maternity Support Leave.

1.16 Can I end my maternity leave early?

Yes, however you will need to provide 28 days' notice to your manager before you return.

1.17 Can I continue to receive government childcare support during maternity leave?

Yes, however you should contact the HR Direct to discuss your options as some schemes may affect your maternity pay.

1.18 Can I keep my Lease Car when I am on maternity leave?

Yes, however you will still be responsible for the Lease Car contributions during both your paid and unpaid periods. Therefore, you will need to repay your contributions that you should have made during your unpaid maternity leave, when your maternity leave ends. Alternatively, you can return

your lease car before your maternity leave starts. You must refer to the current Lease Car Scheme for more information.

1.19 If I am on a Bank Contract am I entitled to maternity pay?

If you are employed under a Bank Contract it is likely you will not be entitled to Occupational Maternity Pay. However, dependent upon your level of earnings and NI Contributions, you may be entitled to receive SMP or Maternity Allowance. Advice should be sought from our Payroll Team.

1.20 What do I do if I have more than one job?

If you have a second job with another employer, you will need to have advised us. You may also receive OMP and/or SMP from them, if you satisfy the eligibility rules for maternity pay with your other employer. Contact [HR Direct](#) to obtain further advice about your own circumstances, from our Payroll Team.

1.21 Can I take a Career Break at the end of my paid maternity leave?

If you have received OMP, you cannot request to take a career break until you have returned to work for 3 months at the end of your maternity leave.

1.22 Can I request to change my working pattern when I return to work from maternity leave?

Yes, you can. You will need to refer to the Flexible Working Policy and follow that process. You should ensure that you provide your application either within the timescales suggested in the policy, so that this can be applied on your return or by a date when your manager suggests to be able to process your request. Otherwise you may need to return to your original hours and pattern until this has been agreed. In addition, you must also ensure that you have taken any accrued annual leave prior to any agreed change to your hours.

1.23 When should I consider applying for Flexible working following maternity or associated leave?

You must follow the process contained within the Flexible Working Policy, as this contains clear timescales on the application process

It is likely that you will not know what your requirements will be prior to having your baby or a child being placed with you, and therefore you should think carefully during your leave what your requirements may be, to allow you to put together your request.

In addition, your manager may not be able to decide operationally prior to or early on in your leave, as operational requirements and other factors may change.

Therefore, you should consider putting in your application during your leave ensuring it's submitted in good time to allow for the process to be completed, before your new arrangements can start. This is ideally a minimum of 3 months before you are due to return to work. This will allow your manager time to consider and discuss your application with you and provide you with a decision before you return to work. You must also ensure that you have taken any accrued annual leave prior to any agreed change to your hours.

1.24 What happens to my start date if my baby is born early?

If your baby is born earlier than expected and you had not yet started your maternity leave. Your leave would then start on the day after you give birth.

1.25 Can my manager ask me to start my maternity leave earlier than I want to?

In certain circumstances it may be necessary for your maternity leave to start earlier than you have requested. This is usually if you are off on sickness absence due to a pregnancy-related illness during the last four weeks before your expected week to give birth (EWC). In these situations, your maternity leave will normally start at the beginning of the 4th week before your EWC or the beginning of the next week after you last worked, whichever is the later. Odd days of pregnancy-related illness during the

period may be disregarded if you are fit and wish to continue working until your maternity leave start date.

1.26 What happens should I unfortunately have a miscarriage?

In the event you suffer a miscarriage before the start of the 25th week of pregnancy, normal sickness absence provisions will apply as necessary. In the event that your baby is stillborn after the end of the 24th week of pregnancy, you will be entitled to the same amount of maternity leave and pay as if your baby was born alive.

2. Adoption Leave

2.1 What is meant by the Adopter?

This is the person 'adopting' a child. If there are two people jointly adopting, you and your partner would need to decide which one of you is the primary adopter and therefore who is eligible to take adoption leave to look after the child.

2.2 Who is the Primary Adopter?

This is the person who it has been agreed will be the main adopter and therefore will be eligible for adoption pay and leave.

2.3 When can I expect to start my Adoption leave?

You must supply documentary proof to show that you have the right to take Statutory Adoption Leave. This is usually a matching certificate from the adoption agency, which must be recognised in the United Kingdom. Adoption leave can start either:

- When the child starts living with you
- Up to 14 days before the child is expected to be living with you

You must tell us within 7 days of being told that you have been matched with a child. If this is not possible, you must tell us as soon as possible. Therefore, you have the option to start your adoption leave 14 days before the child is expected to be living with you. Any other time required could be a combination of annual leave or unpaid leave.

2.4 If I am the partner of someone who is the primary adopter, am I eligible for any leave?

You can take up to 2 weeks of Maternity Support (Paternity) leave to support your partner with the childcare and where eligible you can also take Shared Parental leave. Any paid or unpaid leave will depend on your length of service and/or NI contributions. Refer to Pay Element document for more details.

2.5 Can I take adoption leave if I am Fostering to Adopt?

Yes, if you will be the primary adopter you can take adoption leave or if you are the partner of the primary adopter who is fostering to adopt you can take Maternity Support (previously called Paternity) leave and/or Shared Parental leave, if you meet the criteria.

2.6 How is adoption pay calculated?

It is calculated the same as maternity pay. For full details see question 1.2.

2.7 What is meant by 'matched'?

You are '*matched*' with a child when a UK adoption agency decides that you would be a suitable adoptive parent for the child, either individually or with another person and confirms this in writing.

2.8 What is the matching week?

This is the week in which the Adopter is notified of having been *matched* with a child. The week usually starts on a Sunday (ending with a Saturday).

2.9 What is a matching certificate?

A written notification, issued by a UK Adoption agency, that confirms you have been 'matched' with a child for adoption.

2.10 What is meant by placement/placed?

This is when a child goes to live with the Adopter permanently with a view to being formally adopted in the future.

2.11 What is Official Notification?

A written notification issued by (or on behalf of) the relevant domestic authority where your child is being adopted from. It confirms that you are eligible to adopt and you have been assessed and approved as a suitable adoptive parent.

2.12 What is the Relevant Domestic Authority?

This is usually the relevant Secretary of State for Health. There are two exceptions to this where the relevant Intercountry Adoption Regulations apply. The Relevant Authority is then either Senedd Cymru (Welsh Parliament) for Wales or the Scottish Ministers.

2.13 Who is eligible to apply for adoption leave?

To qualify for Adoption leave, you must:

- have been 'matched' with a child (below the age of 18) to be placed with you by a UK adoption agency
- have received official notification in relation to adopting a child who lives outside of the UK and who will enter Great Britain in connection with or for the purposes of adoption.
- have notified the agency that you agree that the child should be placed with you and on the date of placement.

2.14 If I am planning on adopting through surrogacy am I eligible for adoption leave?

Yes, if you are the primary adopter you will be eligible for adoption leave and pay.

2.15 What happens if I do not return to work at the end of my adoption leave?

If you have declared on your adoption form that you intend to return to work but change your mind you will need to write to your manager providing your letter of resignation. If you received Occupational Adoption pay (OAP) it is likely you will have to repay this.

2.16 If I am not intending to return to work at the end of my adoption leave will it impact my adoption pay?

Yes, if you are eligible for OAP and do not intend to return to work with us or another NHS employer your adoption leave entitlement may change to:

- 6 weeks at 90 per cent of your average gross weekly earnings with no upper limit
- 33 weeks at the lower of either the standard rate of Statutory Adoption Pay (SAP) or 90 per cent of your average gross weekly earnings

If you mark on your maternity form that you do not intend to return to work, this will be accepted and processed as your resignation. You can still take 52 weeks leave however, you will need to discuss with your manager what date within this period you want your leaving date to be.

If you are not eligible for OAP or SAP then you are only entitled to unpaid leave up to 52 weeks, your contract will end at this point unless you have requested in writing to your manager for it to end sooner.

2.17 Can I continue to receive government childcare support during maternity/adoption leave?

Yes, however you should contact the HR Direct to discuss your options as some schemes may affect your adoption pay.

2.18 what happens if my adoption breaks down (“be disrupted”)?

Should your adoption unfortunately break down (“Be disrupted”), you will be entitled to continue your adoption leave and receive the appropriate payment for that time.

3. Surrogacy

3.1 What is meant by surrogacy?

This is where another carries a baby for another person. There are two types of Surrogacy:

- Traditional Surrogacy - where the surrogate uses their own egg fertilised with the intended parent’s sperm
- Gestational (Host IVF) surrogacy -where the surrogate carries the intended parent's genetic child conceived through IVF.

3.2 Can I take leave if I am to become a parent through surrogacy?

In cases of surrogacy only one parent will be eligible for maternity leave and pay as legal parent or adoption leave and pay (as the primary adopter), the second parent may be eligible for Maternity Support Leave and/or Shared Parental leave if they meet the criteria.

3.3 What is meant by a surrogate ?

This is the term used for the individual who carries the intended parent’s child. It is not the intended parent.

3.4 If am a surrogate can I still take maternity leave?

Yes, if you are a surrogate you are still entitled to up to 52 weeks maternity leave. How much pay you will receive will be based on your length of NHS/NHSBT continuous service and your level of National Insurance earnings.

4. Maternity Support (Paternity) Leave (MSL)

4.1 What is Maternity Support?

This was previously known as paternity leave. It is leave provided to the second parent, normally the partner of someone who is taking maternity leave or is the primary adopter where they also have responsibility for the care of the child.

4.2 We are having more than 1 child; can I take more than the 2 weeks maternity support leave?

No, if there are more multiple births or you are adopting multiple children your maternity support leave will be the same as if you were only having one child. However, you can choose to take Shared Parental Leave in addition to MSL if you want to take a longer period of leave. You may also wish to consider annual leave. See the Time off Work Policy for details on how time away from work may be facilitated and supported by your manager.

5. Shared Parental Leave (SPL)

5.1 What is Shared Parental Leave?

Shared Parental Leave is a type of leave which allows the birth parent to share time off work with a second parent to share the childcare after the birth/adoption of a child.

You and your partner may be able to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP) if you’re:

- having a baby
- using a surrogate to have a baby
- adopting a child
- fostering a child who you’re planning to adopt

If you are unsure about how your own circumstances may effect your eligibility, then please contact HR Direct.

If both partners want to take SPL, they both must satisfy each test. This means that both partners are employed and both partners satisfy the 'continuity of employment' and the 'employment and earnings' tests.

It is possible for only one partner to be eligible to take SPL. So, for instance, if the non-birth partner is employed and the birth partner is self-employed, the employed partner can take SPL (as long as the employment and earnings test is satisfied). However, if the birth partner is employed, and the non-birth partner is self-employed, the non-birth partner would not be eligible for SPL but the birth partner would be provided the non-birth partner satisfies the employment and earnings test.

You can check if you are eligible for shared parental leave and pay at www.gov.uk

A birth parent or primary adopter will be eligible for SPL to care for their child if they:

- have at least 26 weeks' continuous employment by the end of the 15th week before the expected week of childbirth and remains in continuous employment with that employer until the week before any period of SPL that they take;
- has the main responsibility for the care of the child at the date of the birth/adoption (apart from the responsibility of a second parent);
- is entitled to statutory maternity/adoption leave in respect of the child;
- has curtailed their statutory maternity/adoption leave; and
- has complied with the relevant notice and evidence requirements
- will continue to be employed whilst on SPL

An employee, who is the second parent, will be eligible for SPL to care for the child if they:

- have 26 weeks' continuous employment by 15th week before EWC
- have the required set level of average weekly earnings in weeks 18-25
- have responsibility for the child at the date of the birth (apart from the responsibility of the birth parent).

For details of the amount of average weekly earnings required visit www.gov.uk.

5.2 What relationship will I have with the child to request Shared Parental Leave?

SPL is available to you if you as a birth parent or second parent if you have, or expect to have, the main responsibility for the care of the child.

5.3 How long can I request off for Shared Parental Leave?

If one of you is the birth parent, you must take the first 2 weeks after giving birth as this is legally compulsory. You can share the remaining 50 weeks SPL between you and your partner. that. You can request to take time off at the same time or separately.

Example 1 taking SPL at the same time: the birth parent requests to take the additional 37 weeks to the statutory 2 weeks and the second parent requests to take the remainder 13 weeks as SPL. They want to take the leave together so the first 13 weeks after the baby is born both parents will be on SPL at the same time. At the end of the 13 weeks the second parent will return to work and the birth parent will continue SPL for another 26 weeks.

Example 2 taking SPL at separate times: the birth parent requests to take the additional 37 weeks to the statutory 2 weeks and the second parent 13 weeks SPL. The birth parent starts the SPL and takes the full 37 weeks then returns to work. The second parent then starts their SPL for 13 weeks.

5.4 How do I take Shared Parental Leave?

If you meet the criteria for SPL, you can request to take SPL however you want between you and your partner, either in one continuous block or split the leave between time off work and time at work.

However, you must take SPL in 1-week blocks and you must provide 8 weeks' notice before the first date you are requesting to start SPL.

Example: you both want to take 26 weeks SPL each but at different times. You can request to take the 26 weeks in blocks of 4 weeks SPL and 4 weeks at work. This would mean that you could take 4 weeks SPL, then return to work for 4 weeks, whilst your partner takes 4 weeks SPL. When they return to work you then take another 4 weeks SPL. This is known as discontinuous blocks.

If you request to take SPL in one continuous block this will be provided to you. If you request to take discontinuous blocks, your manager will review your request and if they can facilitate it your request will be agreed. However, there is no legal requirement to allow discontinuous blocks of SPL therefore if your request cannot be facilitated, you can agree with your manager to either take the leave in one continuous block or put a further request in for discontinuous blocks.

You can submit 3 separate requests asking for discontinuous blocks however, any request must be submitted at least 8 weeks before the date you want your discontinuous blocks of SPL to start.

5.5 How much will I get paid if I take Shared Parental Leave?

If you intend to return to work after a period of shared parental leave, the maximum joint entitlement of an eligible couple to occupational shared parental pay will be as set out below:

- for the first six weeks of absence, you will receive full pay. Full pay is inclusive of any Statutory Shared Parental Pay (ShPP). The total receivable cannot exceed full pay.
- for the next 18 weeks of absence, you will receive half of full pay plus any ShPP. The total receivable cannot exceed full pay.
- for the next 13 weeks, you will receive any ShPP that you are entitled to under the statutory scheme.
- for the final 13 weeks, you will receive no pay.

The maximum entitlement will only apply where either parent has not already received statutory or occupational maternity pay, maternity allowance or statutory or occupational adoption pay in respect of the child. Where such pay (excluding pay during the compulsory two-week maternity/adoption leave period) has been received by either parent, the maximum joint entitlement set out below will reduce proportionate to the amount of maternity or adoption pay which has either been taken and paid to either parent, or notified as intending to be taken by either parent.

NHSBT will not pay more than 26 weeks, 8 weeks' full pay (including the two weeks' compulsory leave) and 18 weeks' half pay, to those accessing occupational maternity or adoption or shared parental pay in aggregate to an eligible couple. This is irrespective of whether one or both parents are NHS employees as shared parental leave and pay is a joint entitlement.

For more full details on Shared Parental leave and pay, you may also wish to refer the NHS Terms and Conditions (England) or the section relevant to the part of the UK you work in.

5.6 How do I request Shared Parental Leave?

You will need to complete the Shared Parental leave form and provide this to your manager.

5.7 Can I take Maternity leave at the same time my partner takes Shared Parental Leave?

You can but only whilst you are working the notice to end your maternity and start SPL. You must also both meet the eligibility to take shared parental leave.

5.7.1 Can my partner and I both take SPL at the same time

Yes, both parents can use Shared Parental Leave to stay off work at the same time.

5.8 If my partner doesn't work can I still take SPL?

No, you won't be able to. Both you and your partner need to be eligible to SPL for you to take it.

5.9 Where can I find further advice on Shared Parental Leave?

You can access advice either through www.gov.uk or at www.acas.org.uk

Due to the complex nature of Shared Parental Leave, due to the involvement of two parents, often working for different employers, we strongly suggest that you speak to HR Direct, who will be able to guide you through your options and the potential issues you may encounter with the process.

6. Keeping in Touch

6.1 What are Keeping in Touch Days?

These are days which provide you with an opportunity to attend work, on occasion, throughout your maternity/adoption or shared parental leave, to keep up-to-date with changes in your team/department, complete training, attend meetings or conferences etc. These need to be agreed in advance with your manager. You can take up to 10 days during maternity leave (known as KIT days) and up to 20 days during SPL (known as SPLIT days). It should be noted, any days worked do not extend your leave periods.

6.2 When can I take Keeping in Touch Days?

You can take this at any time during your maternity, adoption or shared parental leave apart from during the two weeks of compulsory maternity leave.

6.3 Can I work for part of a day?

Yes, however if you work for part of a day this will still count as 1 full KIT/SPLIT day used.

6.4 Can my manager insist I work a KIT/SPLIT day?

No, they can't insist you work a KIT/SPLIT day.

6.5 How should I keep in touch with my manager/employee during their Maternity/Adoption leave?

While we wish to respect your privacy while on Maternity/Adoption leave, in addition to 'Keep in Touch Days', it is good practice to stay in regular contact with your manager/team member. The frequency and method should be agreed before you/they go on leave. This is to ensure that your manager can answer any question you have, keep you updated with anything that is going on. It can help with situations such as together managing a team's expectations about contact etc.

7. Unpaid Ordinary Parental Leave

7.1 What is Unpaid Parental Leave?

It is a type of leave you can request that supports you to take unpaid time off work to look after your child or arrange for their welfare. The leave is not for use for when you need immediate unplanned time off for an emergency situation e.g. where your child is sick. You will need to refer to the Time off Work policy for these situations.

7.2 Who is eligible to apply for Parental Leave?

To qualify for unpaid parental leave, you must:

- Have 12 months or more continuous NHS service (including that with NHSBT and other NHS employers)
- Be named on the child's birth or adoption certificate or if you expect to have parental responsibility or you have legal guardianship or a parental order for the child
- Have a child or children under 18 years' old

Your Manager may ask for proof from you (like a birth certificate) as long as it's reasonable to do so.

7.3 How long can I request off for Unpaid Parental Leave?

You can request up to a maximum of 18 weeks for each of your children up until their 18th birthday. Of those 18 weeks you can only request a maximum of 4 weeks off in a 12-month rolling year. The time off must be taken in 1-week blocks.

If your child has a disability, you are able to take the time off in individual working days rather than blocks of a week at a time.

Approved requests will be recorded by your Manager on EASY/NEXTRA as 'Special Unpaid – Parental Leave'.

7.4 Can my Manager refuse my request for Unpaid Parental Leave?

No, your Manager cannot refuse or completely cancel your unpaid parental leave request, however your Manager can postpone your parental leave request for up to 6 months following the date you originally asked for the leave.

7.5 What happens if my request for Unpaid Parental Leave is postponed?

Your Manager can postpone your parental leave request if for example it's going to be disruptive to work or there is a significant business reason.

Your Manager will provide you with the reasons for the delay, in writing, within 7 days of your original request and will also include a suggested new start date(s) which will be within 6 months of your requested start date.

7.6 Must I be living with my child to request Unpaid Parental Leave?

No. You do not have to be living with your child to have nominated caring responsibility, therefore you can take unpaid parental leave, however your leave must be taken to take care of matters concerning your child.

7.7 If I am a Step-parent or Foster parent – can I request Unpaid Parental Leave?

Yes, if you are a Step-parent, and have parental responsibility for your child if it's agreed by both biological parents. You cannot take Unpaid Parental leave if you are a foster parent (unless you have secured parental responsibility through the courts and are the legal guardian of the child).

If you are a Foster Parent and you require time off work you should discuss your request with your Manager and refer to the Time off Work policy and FAQ's. This will enable you to explore the options available to you and any operational factors that may need to be taken into consideration.

7.7.1 If I am separated or divorced can I request Unpaid Parental Leave?

If you're separated from the other parent or divorced, you still have the right to parental leave providing you keep parental responsibility for your child.

7.8 Can I request Unpaid Parental Leave for more than one child?

Parental leave is designed to give parents more time with their young children. It entitles you to take **18 weeks' leave per parent per child**. This is unpaid, up to your child/children's 18th birthday.

7.9 Are there other options for time off work rather than taking unpaid Parental Leave?

Yes, refer to the [Time off Work policy and FAQ's](#), where initially you would discuss your request with your Manager. This will enable you to explore the options available to you and any operational factors that may need to be taken into consideration.

8. General

8.1 If I am on any type of Parents Leave when will I get paid?

You will be paid on the same date you are usually paid your normal salary. Normally your payslips will be sent to your home address for the period you are on leave.

8.2 What happens to my pension while I am on any type of Parents Leave?

During any paid leave your NHS pension scheme contributions will be deducted automatically from your pay. During any unpaid leave you will automatically accrue NHS pension scheme contributions until you return to work when arrangements will be made with you on how the contributions will be collected when you start receiving your pay again.

8.3 What if I am sick while on any type of Parents Leave?

If you are sick this will not affect your leave, your leave will continue and you will not be able to claim back anytime whilst sick.

8.4 What happens if I am sick at the end of my leave?

You would need to report this as sickness absence in accordance with the Attendance Policy, the absence would then be managed under this policy.

8.5 Do I continue to accrue annual leave whilst on any type of Parents Leave?

You retain your right to annual leave and public holidays if you are on paid or unpaid maternity leave.

Where unused annual leave and public holidays exceed local provisions for carry over to the next leave year it may be beneficial to you and the organisation for you to take the unused annual leave and public holidays before and/or after the agreed (paid and unpaid) maternity leave period.

The amount of annual leave and public holidays to be taken in this way, or carried over, should be discussed and agreed with your manager. Payment in lieu may be considered as an option where accrual of annual leave and public holidays exceeds normal carry over provisions.

8.6 Can I still use my laptop/IT equipment whilst on leave?

Not if you are taking maternity, adoption or shared parental leave (in large continuous blocks). In these circumstances you will need to hand any IT equipment to your manager. Your IT login will also be closed for the period of your leave, therefore if you return to work for a keeping in touch day your manager will need to request for your login to be re-activated.

9. Policy Approval and Review

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