



Maternity, Adoption and Paternity Guidance

What is it?

We know that spending time with your children whilst they're growing up is an important part of making your life's everyday moments more enjoyable. If you've just found out about your new addition to your family – congratulations!

This guidance tells you all about maternity, adoption and paternity. It's non contractual and may be changed in the future. If you have any questions about family leave, please contact HR Services.

Who does it apply to?

This guidance applies to anyone with a GB contract of employment.

What do I need to know or do?

This guidance tells you about planned time off work to be with your family:

- Maternity – for mums to be
- Adoption – for primary adopters
- Paternity – for fathers or partners

We've put the guidance into 3 sections:

- Before your Leave
- During your Leave
- After your Leave

Author: Hannah Rees Date: April 2020



Before your Leave

What do I need to know or do?	Maternity	Adoption	Paternity
When should I tell you about my news?	Please tell us as soon as possible and in writing so we can put in place support for your health, safety and wellbeing during your pregnancy. You'll need to give us formal notice to take leave (see page 4).	Please tell us as soon as possible and in writing so that we can ensure we put in place any support that you might need. You'll need to give us formal notice to take leave (see page 4).	
Can I take time off for appointments whilst my partner and I are expecting a baby or organising adoption?	You can take reasonable paid time off to go to antenatal appointments that are advised by your Doctor or Midwife. Please try and minimise your time away from work by organising your appointments at the start or end of the day. You need to let your manager know and show them evidence of your appointment so that it can be recorded.	You can take reasonable paid time off to go to 5 adoption meetings. Please try and minimise your time away from work by organising your appointments at the start or end of the day. You need to let your manager know and show them evidence of your appointment so that it can be recorded.	If your partner would like you to support them at their antenatal or adoption appointment, you can take reasonable unpaid time off to go to 2 appointments. Please try and minimise your time away from work by organising your appointments at the start or end of the day. You need to let your manager know so that it can be recorded. You may need to give them a declaration.
My partner and I are having IVF treatment, are these appointments classed as antenatal appointments?	No, they're not during the investigation and pre-implantation stage of your treatment. You'll need to agree with your manager about what time off you're likely to need and over what time period and manage this around your work commitments.		No, they're not during the investigation and pre-implantation stage of your treatment. You'll need to agree with your manager about what time off you're likely to need and over what time period and manage this around your work commitments.



What do I need to know or do?	Maternity	Adoption	Paternity
My partner and I are having IVF treatment, are these appointments classed as antenatal appointments (continued)?	They may ask you to take holiday or make the time up. If you're feeling unwell and not able to work, then our normal sickness absence process needs to be followed. You'll need to let us know in writing when you're at the implantation stage of your treatment as maternity rules apply at this point.		They may ask you to take holiday or make the time up. If you're feeling unwell and not able to work, then our normal sickness absence process needs to be followed. You'll need to let us know in writing when your partners at the implantation stage of their treatment as paternity rules apply at this point.
Am I eligible to take leave for the birth or adoption?	You don't have to meet any qualifying criteria to take leave, but you do for pay (see pay questions below).	You don't have to meet any qualifying criteria to take leave, but you do for pay (see pay questions below). You're not entitled to leave or pay if your partner's already taking it or if you arrange a private adoption, become a special guardian or kinship carer or adopt a family member or stepchild.	You need to have 26 weeks continuous service with us by the qualifying week (15 weeks before the due date or matching date).
I'm having a child through surrogacy, what am I entitled to?	If you're the surrogate mum, then maternity leave and pay rules apply to you.	If you're going to be the child's parent, then adoption leave and pay rules apply to you.	If you're genetically related to the child (i.e. egg or sperm donor), you can choose to take paternity (if eligible) instead of adoption, but you can't get both.
How much time off can I take?	Up to 52 weeks.	Up to 52 weeks.	Up to 2 weeks.



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Can I decide how much time off to take?	Yes, but you must take the first 2 weeks (4 weeks if you work in a factory) after your child's born. The first 26 weeks is called Ordinary Leave and the next 26 weeks Additional Leave.	Yes. The first 26 weeks is called Ordinary Leave and the next 26 weeks Additional Leave.	Yes, you can either take 1 or 2 weeks, but it must all be taken in one go.
Can I decide when to start my leave?	You can start your leave at any time in the 11 weeks before your expected week of childbirth. If your child arrives early or if you're absent due to pregnancy related illness within 4 weeks of your due date, your leave will automatically start.	For UK adoptions you can start your leave at any time during the 14 days before the date of placement. For overseas adoptions you can start your leave at any time during the 28 days before the child's arrival in the UK.	You need to start your leave within 56 days of the birth or adoption. You don't have to give an exact date, but you need to tell us when you want your leave to start e.g. the day after the birth or adoption.
What notice do I need to give to take leave?	Please talk to your manager as early as possible about your plans. You need to tell us at least 15 weeks before your expected week of childbirth when your baby's due and when you want to start your leave and how much leave you expect to take. We have a form to help you do this which you need to attach to your time off request on <i>myHR</i> .	Please talk to your manager as early as possible and keep them up to date. Within 7 days of being matched with a child, you need to tell us the date of placement, when you want to start your leave and how much leave you expect to take. For overseas adoptions, you need to tell us within 28 days of your official notification, the estimated or actual date the child arrives in the UK and details of your leave.	Please talk to your manager as early as possible about your plans. You need to give notice within the same timeframes and give the same information as the mum to be or the primary adopter. We have a form to help you do this which you need to attach to your time off request on <i>myHR</i> .



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What notice do I need to give to take leave (continued)?		We have a form to help you do this which you need to attach to your time off request on <i>myHR</i> .	
Will I receive a reply?	We'll write to you within 28 days to confirm your leave dates. If you don't say otherwise, we'll put your leave as 52 weeks.		We'll usually write to you within 28 days to confirm your leave dates.
What evidence do I need to provide?	We'll need your original MATB1 form.	We'll need proof that shows: <ul style="list-style-type: none"> Your name and address and that of the agency The match date (e.g. matching certificate) The date of placement (e.g. agency letter) The relevant UK authority's 'official adoption. notification' and the date the child arrived in the UK - (e.g. plane ticket). 	You don't need to provide any evidence.
Can I change the start date of my leave?	You can but you'll need to give at least 28 days of notice. If your baby arrives before you start your leave, then it will start on the day after the birth.	You can but you'll need to tell us within 28 days of the date of placement (or UK arrival date for overseas adoptions).	You can but you'll need to give us 28 days of notice before your original start date. If your baby arrives early you need to let us know straight away.
Will I get paid when I'm on leave?	We'll pay you if at the qualifying week: <ul style="list-style-type: none"> You've got more than 26 weeks service 	We'll pay you if at the matching week or qualifying week for surrogacy: <ul style="list-style-type: none"> You've got more than 26 weeks service 	You need to meet the same criteria as mum's to be or the primary adopter to get pay from us.



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Will I get paid when I'm on leave (continued)?	<ul style="list-style-type: none"> Your average earnings (over 8 weeks) are above the National Insurance limit If you don't qualify then you may be able to claim maternity allowance from the Government. 	<ul style="list-style-type: none"> Your average earnings (over 8 weeks) are above the National Insurance limit If you don't qualify then you may be able to get support from your local council. 	
What are my entitlements if I am a bereaved parent?	<p>If you're a bereaved parent (including foster parents, adopters and guardians), following the loss of a child below the age of 18 (including a still-birth after 24 weeks), you're entitled to an additional week of statutory bereavement leave on top of the 1 week of fully paid bereavement leave given in our Time Off Policy.</p> <p>This must be taken within 56 days of the child's death. If you have at least 26 weeks of service, you will be eligible for statutory bereavement pay at the lower of the statutory rate or 90% of your average earnings.</p> <p>Your bereavement leave will need to be recorded on your myHR time off record by your manager or yourself. For payroll purposes, if a bereaved parent is taking statutory bereavement leave, this also must be notified to HR Services via askHR.</p> <p>On Our Britvic, you have access to the myLife Wellbeing portal which is a resource to support you. Through myLife, counselling is available to you on a 24/7 basis. You have the option of talking to a trained professional over the phone or via the on-line chat facility. This service is free and any advice and support you receive is private and totally confidential.</p>		



During your Leave

What do I need to know or do?	Maternity	Adoption	Paternity
I'm eligible for pay, what will I get?	<p>You'll receive Statutory Maternity Pay (SMP) for up to 39 weeks which is:</p> <ul style="list-style-type: none"> • 90% of your normally weekly earnings for the first 6 weeks • SMP rate for the next 33 weeks or 90% of your normal week earnings if this is lower • After 39 weeks you won't receive any pay. 	<p>You'll receive Statutory Adoption Pay (SAP) for up to 39 weeks which is:</p> <ul style="list-style-type: none"> • 90% of your normally weekly earnings for the first 6 weeks • SAP rate for the next 33 weeks or 90% of your normal week earnings if this is lower • After 39 weeks you won't receive any pay. 	<p>You'll receive Statutory Paternity Pay (SPP). This is paid at the lower of:</p> <ul style="list-style-type: none"> • SPP rate • 90% of your normally weekly earning
Do you enhance statutory pay?	<p>We'll enhance it so you get full pay (basic salary) for the first 18 weeks of your leave. If for any reason your employment ends during Ordinary or Additional leave, your enhanced pay will stop on your last day with us. Your statutory pay will still be paid to you.</p>		<p>Yes, we'll enhance the first week of your leave to full pay (basic salary).</p>
What happens to my allowances?	<p>We'll need to review if you receive any allowances, depending on the reason for payment your allowances may stop.</p>		
When will I be paid?	<p>You'll be paid as normal which may be subject to your usual deductions.</p>		
What will happen to my benefits during leave?	<p>All contractual benefits, apart from your pay, will normally stay in place during your leave. If you take leave with statutory pay you need to be aware that this changes your bonusable pay.</p> <p>We'll continue to pay into your pension whilst you have contractual or statutory pay. Company pension contributions will only be made if you make up your individual contributions before or after any period of unpaid leave.</p> <p>It's important that you review your flexible benefit selections. If you take leave with statutory or no pay, you'll need to talk to us about how you'll make up your contributions.</p>		

Let's do things the Britvic way



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What will happen to my benefits during leave?	<p>All contractual benefits, apart from your pay, will normally stay in place during your leave. If you take leave with statutory pay you need to be aware that this changes your bonusable pay.</p> <p>We'll continue to pay into your pension whilst you have contractual or statutory pay. Company pension contributions will only be made if you make up your individual contributions before or after any period of unpaid leave.</p> <p>It's important that you review your flexible benefit selections. If you take leave with statutory or no pay, you'll need to talk to us about how you'll make up your contributions.</p>		
Do I continue to accrue holiday during my leave?	You'll continue to accrue your holiday (contractual and bank holidays) in the normal way during all your leave.		
What contact can I expect during my leave.	<p>This will be up to you and your manager. We encourage you to contact each other so we know how you and your new addition are getting on but also for you to find out what's happening at work.</p> <p>If you want to you can take up to 10 keeping in touch (KIT) days. A KIT day could be for training, team meetings or any other activity. You need to agree this in advance with your manager, your manager will need to complete our form to record it – you can take these at any time during your leave apart from the first 2 weeks (or 4 weeks if you work in a factory). You'll be paid for a half or full day depending on what you work.</p>	<p>You'll only be away for a short amount of time, so if we don't have contact during your leave you can let us know about your new addition when you're back at work.</p>	



After your Leave

What do I need to know or do?	Maternity	Adoption	Paternity
What's my return to work date?	<p>It'll be the date you told us. If you want to change this, you'll need to tell us in writing at least 8 weeks before your original return date. If you return to work during ordinary or additional leave you can't go back on leave a</p> <p>If you're eligible you could also take parental leave, you'll need to provide the necessary notice of your request</p>		<p>It'll be 1 or 2 weeks after you started your leave.</p> <p>If you're eligible you could also take parental leave.</p> <p>You'll need to provide the necessary notice of your request.</p>
Can I have a more flexible return to work?	<p>It's up to you how you plan your time off. We think it's a good idea to use your accrued holiday to give you a more flexible return.</p> <p>If your family friendly leave goes over 2 holiday years, you can carry over all of your untaken holiday entitlement as long as it's booked as either a continuous or broken period of holiday that starts as soon as your family friendly leave comes to an end.</p> <p>If you're looking for a permanent change to your terms and conditions, then you'll need to put in a flexible working request.</p>		<p>It's up to you how you plan your time off with your holiday entitlement.</p> <p>If you're looking for a permanent change to your terms and conditions, then you'll need to put in a flexible working request.</p>
What role will I come back to?	<p>If you come back to work during or at the end of ordinary leave you'll come back to your same job on the same terms and conditions. If you have taken any additional leave, then you'll come back to your same job on the same terms and conditions. If there is some reason why this can't happen then we'll talk to you.</p>		<p>You'll only be on leave for a week or two, so you'll come back to the same job.</p>
What if I don't want to return to work?	<p>We'll expect you back in work unless you tell us otherwise. If you wish to resign then you'll need to give us your contractual notice.</p>		



What happens if I don't follow it?

If you don't follow the requirements you may lose your entitlement to family leave or pay. If you give us false information to support your leave request, then this will be treated as alleged fraud and may be a serious disciplinary matter.

What other documents do I need to know about?

- [Family Leave Policy](#)
- [Parental Leave Guidance](#)
- [Shared Parental Leave Guidance](#)
- [Sickness Absence Policy](#)
- [Time Off Policy](#)
- [Pay & Benefits Policy](#)
- [Family Leave Forms, Templates & Useful Links](#)
- [Lifestyle events guide](#)
- [Lifestyle events summary](#)
- [Flexible Working Guidance](#)



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