



Ref: FOI2022-002

[REDACTED]

28th January 2022

Dear [REDACTED]

Further to our letter of 11th January 2022 regarding your request for the following information:

I am writing to request AWE's maternity/paternity/parental leave policy or information that AWE follows

Your request has been handled as a request for information under the Freedom of Information Act 2000 (the Act).

We can confirm that the Atomic Weapons Establishment (AWE) holds all of the information in scope of your request.

We are able to release the attached 4 documents:

- Maternity Leave Procedure
- Maternity, Adoption and Shared Parental Leave Procedure
- Paternity Leave Procedure
- Shared Parental Leave Procedure

As you will note we have removed the name of officer involved and our internal reference numbers. The freedom of information act provides for this under sections 24(1) and 40(2) of the FOI Act. These sections provide that information can be withheld where disclosure would prejudice national security and breach the principles of the UK GDPR respectively.

Section 24(1) is a qualified exemption, subject to the Public Interest Test (PIT). The PIT has been carried out and has fallen in favour of applying the exemption.

The Act makes a presumption towards disclosure wherever possible and includes a general obligation to promote openness and transparency. However, there is a strong public interest in safeguarding national security and in withholding any information that might prejudice it. If the redacted information were to be publically released, third party's may be able to identify management systems used by AWE which could result in them being targeted, therefore the public interest lies in the information being withheld.

Please remember to quote the reference number above in any future communications. If you have any queries regarding the content of this letter, please contact this office in the first instance.



Aldermaston ▪ Reading
Berkshire ▪ RG7 4PR

www.awe.co.uk

If you are unhappy with the way your request has been handled you have a right to request an internal review within 40 days of receiving this letter, by writing to information.requests@awe.co.uk or our postal address: Information Requests Team, AWE Aldermaston, Reading, RG7 4PR. If you are still unhappy after an internal review has been completed, under the provisions of Section 50 of the Freedom of Information Act 2000 you have the right to take your complaint to the Information Commissioner's Office. Please note the Commissioner will generally not consider a complaint until you have exhausted AWE's internal complaints process.

Yours sincerely,

AWE Information Requests Team

<p>Date: November 2021 Issue: 8.3</p>	<p>Company Management System Procedure Document Maternity Leave</p>	<p>Owner / Primary Contact: [REDACTED]</p>
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1 Purpose

The objective of this Procedure is to outline the Maternity Leave and Pay arrangements that AWE offers to its employees. In many cases these are more generous than the statutory requirements, but in all cases, the statutory requirements underpin the procedure. The statutory qualifying criteria are applicable and the statutory notification timescales must be adhered to. It should be read in conjunction with the Shared Parental Leave Procedure¹ and the Maternity, Adoption and Shared Parental Leave Procedure².

2 Applicability

This procedure applies to all employees who meet the eligibility criteria as outlined in this document.

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4 Responsibilities

Employees are responsible for:

- Familiarising themselves with the contents of this procedure as soon as it is applicable to them;
- Ensuring they meet the qualifying criteria;

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- Ensuring they abide by the timescales outlined in the procedure for notification purposes and submission of forms;
- Completing and returning the required forms and submitting any other required proof of eligibility as described in this procedure.

5 Method

5.1 Principles

In all cases, employees must speak to Ask HR before taking any further steps in relation to booking Maternity Leave.

Please note, any reference to “a week” throughout this procedure refers to a calendar week of 7 days whatever number of days an employee would normally work, or would be due to work, in that week.

Employed birth parents are entitled to 52 weeks of Maternity Leave and contractual and/or Statutory Maternity Pay.

The first 2 weeks after the birth of a baby must be taken as Maternity Leave by the birth parent. These 2 weeks cannot be shared.

Employees may also be entitled to Shared Parental Leave. (See the Shared Parental Leave Procedure¹).

5.2 Eligibility for Maternity Leave and Pay

To be eligible for Occupational and Statutory Maternity Leave and Pay employees must:

- have 26 weeks continuous service continuing into the 15th week before the expected week of childbirth, the “qualifying week.”

The Maternity Leave section of the Parental Leave Application Form³ must be completed confirming:

- the Maternity Leave start date; and
- that the employee will return to work following Maternity Leave for a minimum period of 3 months.

This must be completed before the end of the 15th week before the date the baby is due and sent to AskHR. The MAT B1 form, given by the midwife or GP around weeks 20 to 24, must be sent to Ask HR and Payroll as soon as it is received. The MAT B1 form must not be dated before the 20th week of the employee’s pregnancy.

If the employee decides not to return to work following the birth of the baby, they will still be entitled to Statutory Maternity Leave and may be entitled to Statutory Maternity Pay.

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5.3 Statutory Maternity Leave

All pregnant employees, regardless of length of service, are entitled to up to 52 weeks Maternity Leave.

5.4 Occupational Maternity Pay

Provided an employee meets the eligibility criteria described above, AWE will pay Occupational Maternity Pay (OMP) for 39 weeks at two different rates:

- a) 20 weeks at full pay (basic monthly pay plus any fixed allowances); and
- b) 19 weeks paid at a rate equivalent to the current lower rate of Statutory Maternity Pay.

In addition to this, employees are entitled to a further 13 weeks unpaid leave, giving a total of up to 52 weeks leave. (Employees should ensure they read the section concerning the pension scheme in the Maternity, Adoption and Shared Parental Leave Procedure²).

Please note Maternity Pay based on “average weekly earnings” is calculated during weeks 17 to 25 of pregnancy. This is referred to as the calculation period. In reality this means the Maternity Pay calculation will be based on the pay in the last two pay periods before the 15th week before the baby is due. If the employee has entered into a salary sacrifice agreement, such as “Childcare Vouchers Direct” or “Employee Salary Exchange”, their gross salary will be reduced by the amount of their annual salary sacrifice and the Statutory Maternity Pay will be calculated on normal weekly earnings using their reduced gross pay. If a pay award is granted which is effective from any time from a date between the start of the period used to calculate the OMP and the end of the maternity leave, the average weekly earnings will be re-calculated taking account of the pay rise, and any arrears of OMP will be paid.

5.5 Statutory Maternity Pay (SMP)

If an employee meets the criteria for OMP but does not plan to return to work, opting for Statutory Maternity Pay (SMP) may be an option to consider. SMP is payable if the employee meets the eligibility criteria described above.

The employee must give notice in writing to their Line Manager of the date that they intend to start maternity leave. This must be done by the beginning of the 15th week before the expected date of childbirth by completing the Maternity Leave section of the Parental Leave Application Form³. This should be sent to Ask HR. The MAT B1, given by the midwife or GP between weeks 20 to 24, must be sent to Ask HR and Payroll as soon as it is received.

SMP is payable at the following rates:

- a) 6 weeks pay at 90% of average earnings (or at the lower rate of SMP, whichever is greater);
- b) 33 weeks at the lower rate of SMP (or less if this exceeds the usual weekly earnings).

In addition to this, an employee may take a further 13 weeks unpaid leave giving a total of up to 52 weeks leave.

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If the employee decides to leave AWE, they may opt to receive SMP either in a lump sum or on a monthly basis. To do this they must contact Payroll and complete a form indicating their preference. If the employee does not indicate their preference the payments will be made on a monthly basis direct to their bank account. Whilst receiving SMP, either paid monthly or paid up-front in a lump sum, an employee may not start work with another Company. If the employee decides to start another job, they must either notify AWE so that the SMP payments can stop, or they can re-pay any SMP that has been paid in advance.

(*note: employment will end on the date indicated by the employee, for example, the last day before maternity leave starts. SMP can still be paid through Payroll but this does not indicate continuity of employment past the termination date).

If the employee chooses not to return to work notice must be given in accordance with the contract of employment.

5.6 Maternity Allowance

If an employee does not qualify for Occupational or Statutory Maternity Pay and/or they do not wish to return to work and do not qualify for SMP, they may be eligible for Maternity Allowance which is paid directly by the Department of Work and Pensions (DWP).

If an employee is excluded from SMP, Payroll will issue form SMP1 and return the original MAT B1 as these documents are required by the DWP when paying Maternity Allowance.

5.7 Time Off for Antenatal Care

Employees have a right to time off for antenatal care providing they are able to demonstrate they have an appointment and the request for time off is made in advance of this. Antenatal care may include appointments with a GP or midwife, parent craft classes and relaxation classes. As far as possible, it is expected that appointments will be made to cause least inconvenience at work.

Paid time off to attend antenatal appointments does not extend to a birth parents' partner. Partners may have unpaid time off or use annual leave or flexi-time to attend such appointments. Further details can be found in the Paternity Leave Procedure⁴.

5.8 Starting Maternity Leave

Maternity Leave may start at the beginning of the 11th week before the expected date of childbirth. However, Maternity Leave can start at any time after this up to the expected date of childbirth.

Employees must notify their Line Manager and Ask HR, in writing, of their intention to take Maternity Leave by completing the Parental Leave Application Form³ at the latest 15 weeks before the date the baby is due. On this form the week in which the baby is due to be born and the date on which the employee plans to start Maternity Leave to start must be completed. If, in the 4 weeks before the baby is due, the employee is off work with a pregnancy-related illness, Maternity Leave automatically begins on the day after the first day of absence.

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5.9 Changing the Maternity Leave Start Date

To change the start date for Maternity Leave, 28 days' notice must be given in writing of the new intended start date. In the interests of health and safety, if an employee wishes to postpone the start of their Maternity Leave to a time within the last 4 weeks of pregnancy they may be required to provide a doctor's certificate confirming that they are fit to work, possibly until a date specified on the certificate.

5.10 Premature babies

If the baby is born early, including prior to the 11th week before the expected week of childbirth, Maternity Leave and Maternity Pay start on the day after the baby is born. Evidence, for example the birth certificate, must be supplied within 21 days after the date of birth, or as soon afterwards as possible. Sickness prior to this, supported by a Statement of Fitness to Work ("Fit Note") or self-certified, will be treated as sickness absence in accordance with the normal arrangements for sick leave. If annual leave is planned before the baby is due and the baby is born early, Maternity Leave will start immediately on the day after the day the baby is born. Any remaining annual leave will be carried forward to the next leave year and will be added to the leave entitlement for the coming year and any leave that the employee had already planned to carry forward.

5.11 Sickness and Maternity Leave

Sickness before the 11th week before the expected week of childbirth, supported by a Statement of Fitness to Work or self-certificate, will be treated as sick leave in accordance with the normal arrangements for sick leave.

If the employee continues to work beyond the 11th week and has an illness not related to their pregnancy, the absence will be treated under normal sick arrangements.

However, if the illness is pregnancy- related either:

- if the employee is off on long-term sick leave, when they reach the date 4 weeks before their expected date of birth, or
- if they become ill and there are fewer than 4 weeks before the expected date of delivery, then Maternity Leave will be regarded as having started on the day after the first complete day of absence.

Occasional days of sickness not related to pregnancy during this period will not trigger Maternity Leave.

5.12 Still Birth and Miscarriage

If a miscarriage is suffered before 24 weeks of pregnancy there is no entitlement to Maternity Leave or Maternity Pay. However, an employee may be entitled to sick pay in accordance with the normal sick pay arrangements⁵.

If the baby is still born after 24 weeks of pregnancy the employee will still be eligible for Maternity Leave and Pay but will have to provide the MAT B1 form.

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5.13 KIT Days

During maternity leave, the employee and their Line Manager have the option to agree up to 10 “Keeping in Touch” days. Neither party has a right to insist on these days – they are optional, and both the employee and their Line Manager must agree them. The Line Manager may use the days to update the employee on developments at work or to invite them to attend occasional team meetings, team events or training sessions. The KIT days may also be used for any activity which would ordinarily be classed as work under the contract. The employee’s Task Manager may also liaise with the Line Manager and the employee on the use of some KIT days to keep the employee up to date with their work area or changes to the work area. KIT days must be used during the Maternity Leave period or during Shared Parental Leave but may not be added on to the end of the period to lengthen it.

Payment for these days is on the basis of a normal day’s pay. In no circumstances will payment for these days be more than the employee would normally earn and nor should they be better off as a result of being paid for a KIT day. The entitlement is to 10 KIT days; this is either 10 whole days, 10 half days, or a combination of both, but would not include 20 half days. Working for part of a day or even a couple of hours will use up one of the 10 KIT days. Payment will be for the full day regardless of the amount of time the employee has been in work for.

Payment will be on notification of the days attended. Their Line Manager should enter the information into Workday once the KIT day has been worked. The Keeping in Touch Days Checklist⁶ should be used, to provisionally agree, in advance, the days the employee would like to come in and the purposes for which they would like their Line Manager to keep in touch.

If KIT days are taken during the period of time when an employee is receiving full OMP (the first 20 weeks of Maternity Leave), they will not receive any additional payment. If they attend work during the period of SMP, or equivalent (weeks 21 to 39 inclusive), they will receive a normal day’s pay minus SMP for that day. A KIT day may not be taken during the first 2 weeks after the baby is born.

Employees should make suitable arrangements for childcare during KIT days. The Company will not contribute towards any costs incurred for childcare during a KIT day.

“A day” in this context is a normal working day of 8.25 hours (Monday to Thursday) or 8 hours on a Friday and half a day is half of this, for a full-time employee. Normal hours for a part-time employee or someone not working standard hours would be their contractual hours for any given day.

5.14 Annual Leave

An employee will continue to accrue both statutory and contractual annual leave during paid and unpaid Maternity Leave.

Where an employee returns to work near to the end of the annual leave year i.e. after 30th September, any accrued annual leave can be carried over in excess of the carry overrule of 74

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hours. Carried over leave in excess of 74 hours must be used within the first three months of the leave year.

5.15 Return to Work

At the end of the period of ordinary Maternity Leave (the first 26 weeks) an employee is entitled to return to the same job on the same terms and conditions as if they had not been absent. At the end of additional Maternity Leave (leave from week 27 to 52) the employee should be offered their old job back unless this is not reasonably practical. If it is not reasonably practical, they must be offered a job that is suitable and appropriate in the circumstances, on the same terms and conditions as the old job e.g. payment must be at least the same as the old job.

Within 28 days of initially being contacted by the employee, Ask HR will notify them of the date when their additional maternity leave ends. They must notify their Line Manager and Ask HR of the date they intend to return to work using the Maternity, Adoption and Shared Parental Leave Return to Work Form⁷. The employee is expected to return to work on the date they have specified.

In order to vary the intended return to work date, an employee must give a minimum of 8 weeks written notice. If 8 weeks' notice is not given, the Company has the right to postpone the return to work until the 8 weeks have elapsed, or until the ordinary Maternity Leave has expired with pay being at the rate applicable at that time, which could include nil pay.

If the employee returns to work before 39 weeks and has one week's worth of unpaid KIT days remaining (5 days), they can continue to claim SMP. On the payslip this will show as SMP, although the employee has returned to work and they will actually receive full pay (which will include SMP payment at the lower rate).

The compulsory return to work regulations prohibit the return to work of an employee within 2 weeks of the date of childbirth.

A risk assessment should be carried out by the employee and their Line Manager on the return to work if the employee is breastfeeding. This is to comply with legislation and ensure the environment is suitable for a breastfeeding parent.

5.16 Change of Circumstances

Any changes to personal circumstances, including becoming a parent, should be notified to Personnel Security in order to maintain security vetting and may need to be reported to UKSV to ensure the continuation of security clearance. Further information can be found in the Maintaining your Security Clearance Procedure⁸.

6 References

Repository	Registry Number	Title
Management	1. [REDACTED]	Shared Parental Leave Procedure

AWE/MAN.SYS/1203	Company Management System Procedure Document Maternity Leave	Owner / Primary Contact: Simon Roberts (HR)
Date: November 2021 Issue: 8.3		

System	2.		Maternity, Adoption and Shared Parental Leave Procedure
	3.		Parental Leave Application Form
	4.		Paternity Leave Procedure
	5.		Leave, Absence & Attendance Standard
	6.		Keeping in Touch Days Checklist
	7.		Maternity, Adoption and Shared Parental Leave Return to Work Form
	8.		Maintaining your Security Clearance

7 Change History

Previous Issue No and Date	Revisions Made
8.0, June 2017.	The paragraph concerning premature babies updated to confirm any planned leave that cannot be taken due to a premature birth will be carried forward into the next leave year.
8.1, November 2017	Template updated. Terminology changed from Policy to Procedure Added in accrual of statutory and contractual annual leave during periods of paid/unpaid Maternity Leave Added Change of Circumstances section
8.3 November 2021	Reviewed for Payroll project. Amends made to KIT day form and KIT payment dates.

<p>Date: March 2021 Issue: 1.2</p>	<p>Company Management System Procedure Document Maternity, Adoption, Shared Parental Leave</p>	<p>Owner / Primary Contact: [REDACTED]</p>
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1 Purpose

The objective of this procedure is to provide information on a number of subjects common to Maternity, Adoption and Shared Parental Leave. It should be read in conjunction with the Maternity Procedure¹, Adoption Procedure² or Shared Parental Leave Procedure³.

2 Applicability

This procedure applies to all employees.

3 Responsibilities

3.1 Employees

Employees are responsible for ensuring they are familiar with the content of this procedure in order to understand their rights during Maternity, Adoption or Shared Parental Leave, the Company's expectations of them and how Maternity, Adoption or Shared Parental Leave may affect some elements of their terms and conditions. They must also read the procedure relevant to the type of leave they are taking e.g. Maternity Leave Procedure¹.

3.2 Human Resources (HR)

Ask HR are responsible for advising employees about their rights when taking Maternity, Adoption or Shared Parental Leave. They will also advise employees on the leave start and end dates, how much and what type of leave can be taken, how annual leave should be requested and how and when to book the leave on Workday.

4 Method

In all cases, employees must speak to Ask HR before taking any further steps in relation to booking Maternity, Adoption or Shared Parental Leave.

4.1 AWE Group Personal Pension Members

Please note, periods of unpaid absence may affect pension benefits.

4.1.1 Employee Salary Exchange

Employees who participate in Employee Salary Exchange may remain in the scheme during Occupational Maternity Pay (OMP) or Occupational Adoption Pay (OAP) but will be opted- out during their period of Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP) as their pay will fall below the Pay Protection Limit. The employee will be removed from the scheme from the 1st of the month in which SMP or SAP starts. On the employee's return to work, provided they meet the eligibility criteria they will be opted back into Employee Salary Exchange. Further information is available on the HR pages on the Portal.

4.1.2 Occupational Pay Period

Whilst an employee is receiving Occupational Maternity, Adoption or Shared Parental Pay, pension contributions will be deducted as normal.

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4.1.3 Statutory Pay Period

Whilst an employee is receiving Statutory Maternity, Adoption or Shared Parental Pay:

- Pension contributions will be based on actual earnings;
- Company pension contributions will be based on notional pay (i.e. the pay that the employee would have received had they not been on Maternity, Adoption or Shared Parental Leave). The maximum contribution from the employer would be 13% if the employee paid contributions of 8% or more.

4.1.4 Unpaid Maternity, Adoption or Shared Parental Leave

During the period of unpaid leave, there is no requirement for either the employee nor the Company to pay pension contributions into the AWE Group Personal Pension. On the employee's return to work, contributions will be reinstated at the previous rate or the employee can choose to increase their pension contributions through "My Choice." The Company will pay the appropriate matching rate at the time. Further information can be found in the Benefits Procedure⁴.

4.1.5 Decision not to return to work

If the employee decides not to return to work following Maternity, Adoption or Shared Parental Leave they will still receive employer pension contributions up to the date the statutory pay would have ended had they remained at work.

4.2 Life Assurance

During Maternity, Adoption or Shared Parental Leave employees are covered for life assurance under the AWE Group Death in Service Scheme.

4.3 Annual Leave

Annual leave accrued during the leave year prior to the Maternity, Adoption or Shared Parental Leave period should be taken, where possible, before the Maternity, Adoption or Shared Parental Leave starts. However, if this is impossible any outstanding leave may be carried over into the next leave year.

Any annual leave accrued during Maternity, Adoption or Shared Parental Leave, and any carried over leave, may be taken at the end of the Maternity, Adoption or Shared Parental Leave period. If this is done, the start of annual leave after Maternity, Adoption or Shared Parental Leave is regarded as the return to work. Maternity, Adoption or Shared Parental Leave cannot be started again once the employee has returned to work on annual leave. Employees are required to give notice of when they intend to take annual leave in the normal way.

Annual leave accrued during a period of full-time work is accrued at that rate. This would include leave accrued during a period of Maternity, Adoption or Shared Parental Leave that occurs straight after a period of full-time work. If an employee returns to work part-time after Maternity, Adoption or Shared Parental Leave they can still take all the annual leave accrued up to that date at the full-time rate, but any further leave will be accrued pro rata.

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The arrangements concerning accrual and taking of annual leave should be discussed with Ask HR in order to ensure employees are aware of their options and can make choices appropriate to their particular circumstances.

4.4 Bank Holidays

Entitlement to bank holidays accrues during Maternity, Adoption and Shared Parental Leave. During this period, hours are accrued equivalent to the number of bank holidays that fall during this time, pro rata to a maximum of 62 hours and also pro-rated based on the full-time equivalent. However, bank holidays count towards the statutory leave entitlement.

4.5 Christmas Eve

Where Christmas Eve falls on a working day, employees may be given a day off. If an employee is on Maternity, Adoption or Shared Parental Leave over this time they may be credited with the normal number of hours they would have worked on that day. Where Christmas Eve falls on a non-working day there will be no credit for time.

4.6 Recording Leave on Workday

Employees must ensure that their timecard on the AWE Business System is up to date. However, this can only be completed this for the first 4 weeks of leave after which the Line Manager is responsible for completing the timecard.

Employees must also book their appropriate leave in Workday. Guidance is available.

4.7 Contractual Rights

During Maternity, Adoption or Shared Parental Leave employees retain all contractual rights, except for the terms relating to pay. This includes the right to statutory and contractual annual leave which continues to be accrued during periods of paid and unpaid leave and to time for the bank and public holidays which fall during the period of leave (pro rata to 62 hours). Any fixed allowances which are normally paid will only continue during the period of Occupational Pay and will end once the employee moves into Statutory Pay.

The terms and conditions which continue to apply are the employer's trust and confidence, the obligation of good faith towards the employer by the employee, entitlement to notice of termination of employment, redundancy benefits if the employee is made redundant and terms and conditions on disciplinary and grievance procedures, and employees remain bound by any contractual terms relating to confidential information, acceptance of gifts etc.

4.8 Contractual Non-Cash Benefits

Contractual non-cash benefits continue during Maternity, Adoption or Shared Parental Leave. An example of this would be the payment of professional subscriptions. This does not apply to salary sacrifice for pensions through Employee Salary Exchange, workplace pension provision through salary sacrifice.

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4.9 Continuous Service

Employees will be credited with service during both paid and unpaid periods of Maternity, Adoption or Shared Parental Leave.

4.10 Failure to Return to Work

Employees are expected to return to work for at least 3 months following the end of Maternity, Adoption or Shared Parental Leave (whichever date is the latest). If the employee decides not to return to work, they must give, and work, their contractual notice. The employee will also have to re-pay the amount of Occupational Maternity, Adoption or Shared Parental Pay paid to them (not including SMP, SAP or SPP). Employees are expected to complete the Return to Work Form⁵.

4.11 Procedure if Sick on Return from Leave

If the employee is sick on the date agreed for their return to work, normal contractual arrangements apply.

4.12 Fixed-term Employees

If an employee is on a fixed-term contract which ends after the 11th week before the expected week of childbirth they will have their contract extended in order to allow them to have 39 weeks paid leave (provided they are eligible).

The employee must:

- write to their Line Manager before the 15th week before the expected week of childbirth stating that they plan to take Maternity Leave;
- state the date they wish the Maternity Leave to start;
- provide a MAT B1 form confirming the expected date of childbirth.

If the contract would have ended if pregnancy and childbirth had not occurred, there is no right to return. In this case, the repayment requirement will not apply.

4.13 Support

AWE provides a free and confidential helpline service, the Employee Assistance Programme, provided through Life Works. The helpline offers support and advice on a wide range of issues that affect employees and their families. Further information can be found on the Company Portal.

5 References

1. Maternity Leave Procedure, [REDACTED]
2. Adoption Leave Procedure, [REDACTED]
3. Shared Parental Leave Procedure, [REDACTED]
4. Benefits Procedure, [REDACTED]
5. Maternity, Adoption, and Shared Parental Leave Return to Work Form, [REDACTED]

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6 Change History

Previous Issue No and Date	Revisions Made
1.0, June 2017.	Further information for clarity added to Employee Salary Exchange and Statutory Pay Period paragraphs. Annual Leave paragraph amended to confirm carry over of leave may be more than 74 hours in exceptional circumstances.
1.1, November 2017	Template updated. Terminology changed from Policy to Procedure Confirmation of accrual of statutory and contractual annual leave during periods of paid/unpaid Maternity, Adoption and Shared Parental Leave

<p>Date: March 2021 Issue: 7.2</p>	<p>Company Management System Procedure Document Paternity Leave</p>	<p>Owner / Primary Contact: [Redacted]</p>
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1 Purpose

The objective of this Procedure is to outline the Paternity Leave and Pay arrangements that AWE offers to its employees. In many cases these are more generous than the statutory requirements, but in all cases, the statutory requirements underpin the procedure. The statutory qualifying criteria are applicable and the statutory notification timescales must be adhered to. It should be read in conjunction with the Shared Parental Leave Procedure¹ and the Maternity, Adoption and Shared Parental Leave Procedure².

2 Applicability

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4 Responsibilities

Employees are responsible for:

- Familiarising themselves with the contents of this procedure as soon as it is applicable to them;
- Ensuring they meet the qualifying criteria;
- Ensuring they abide by the timescales outlined in the procedure for notification purposes and submission of forms;
- Completing and returning the required forms and submitting any other required proof of eligibility as described in this procedure.

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5 Method

In all cases, employees must speak to Ask HR before taking any further steps in relation to booking Paternity Leave.

5.1 Entitlement

Employees are entitled to Paternity Leave of 2 weeks, to be taken within 56 calendar days after the child is born or adopted.

The entitlement to Paternity Leave applies if the employee:

- is the biological parent of the child or the birth parent’s partner, or
- is living with the birth parent in an enduring family relationship but not an immediate relative, or
- is the adoptive parent of the child and not the primary carer (and therefore does not elect to take adoption leave), and
- will have responsibility for the child’s upbringing, and
- will take time off either to support the birth parent or to care for the new child.

The Paternity Leave must be taken in a single block of either one or 2 weeks. It cannot be broken up into 2 periods and odd days cannot be taken. An employee may choose not to take the second week of Paternity Leave.

Employees may also be entitled to Shared Parental Leave (see the Shared Parental Leave Procedure¹).

5.2 Eligibility Criteria and Notification Requirements

To be eligible for Paternity Leave, the individual must be a current employee with the Company and have at least 26 weeks continuous service by the end of the 15th week before the expected week of childbirth, the “qualifying week.”

To make a claim for Paternity Leave and pay the employee should notify their **Line Manager and Payroll by the 15th week before the date the baby is due**. By this date the employee must state, in writing, using form SC3:

- a. Their intention to take Paternity Leave;
- b. The date the baby is due;
- c. When they want Paternity Leave to start; and
- d. How much Paternity Leave they want to take.

The SC3 form is available from Payroll by sending a request via Help Desk Payroll. The Line Manager must also sign in a blank space on the back of the SC3 form as authorisation of intention to take Paternity Leave. At notification stage, only the expected date of birth has to be notified. The notification of the actual dates of leave will be made to Payroll on the return from leave.

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5.3 Paternity Leave

Employees are entitled to take up to 2 weeks leave up to 56 days (8 weeks) after the baby is born. The Company must be informed as to whether one or 2 weeks leave will be taken. The period of leave must be completed by the end of the 8th week after the baby is born.

Leave may start on the date of the baby's birth. The employee should specify "the date the baby is born" on the SC3 as the day they wish to start their leave. If an employee wishes to change the dates of their Paternity Leave, they can do so with 28 days' notice.

If the start date on the SC3 is specified as the date the baby is due in accordance with the partner's MATB1, and the baby is born later than this, Paternity Leave must be delayed and cannot start until, at the earliest, the day the baby is born.

If the baby is born early the employee can choose to take their leave any time between the actual date of birth and the end of an 8 week period starting from the Sunday of the week the baby was originally due.

Only one continuous period of Paternity Leave can be taken even if more than one child is born.

If the correct amount of notice is not given, i.e. by the 15th week before the date the baby is due, the Company has a right to delay leave and pay. In this case the Company will write to the employee within 28 days of their leave request to advise them of this. If, due to the employee's late notification, a delay means there is no time for some or all of the Paternity Leave to be taken because the 56 days will be up, the right to take some or all of the Paternity Leave will be lost. This means that an employee must make sure they can fit their requested 7 or 14 days leave within the 56 days after the baby is born. If late notification is given and leave is delayed and the baby is born early, Paternity Leave cannot start earlier than the date specified on the letter from Payroll.

If an employee takes Paternity Leave without giving notice the Company will not make a Paternity Leave payment. In this case the time off will either be unpaid or will have to be covered by annual leave. If it is unpaid leave and the monthly payroll has been run, Payroll will stop an amount, equivalent to the overpayment, from the employee's next monthly pay and will notify the employee.

5.4 Occupational Paternity Pay

To qualify for Occupational Paternity Pay (OPP) employees must meet the criteria given in the Eligibility section above. **Please pay particular attention to the notification criteria. Failure to abide by the notification criteria may mean the leave may not be able to be taken as planned and/or it may be unpaid.**

OPP is made up of Statutory Paternity Pay (SPP), paid for up to 2 weeks, topped up during both weeks, by the Company, to normal pay (basic weekly pay plus any fixed allowances).

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Please note, if a salary sacrifice agreement has been entered into, such as “Childcare Vouchers Direct” or “Employee Salary Exchange”, the gross salary will be reduced by the amount of the employee’s annual salary sacrifice and Occupational Paternity Pay will be calculated on normal weekly earnings using the reduced gross pay.

Any payments made by the Company will be paid into the employee’s bank account on the same date that their salary would have been payable and will be subject to statutory deductions, including tax and National Insurance, in the usual way.

5.5 Annual Leave

All contractual benefits continue during Paternity Leave, including the entitlement to annual leave and bank holidays. If a bank or public holiday falls during the period of Paternity Leave, the employee will still be entitled to one or 2 week’s leave not counting the bank or public holiday. For example, if the Monday is a bank holiday, Paternity Leave will start from the Tuesday and run to the following Monday, or the Monday after if the employee is taking 2 week’s leave. Or, if one week’s Paternity Leave is started on a Monday and the following Monday is a bank holiday the leave will end on the Tuesday. The additional day or days to compensate for the bank or public holiday/s, over and above the entitlement to 7 calendar days leave, should be booked as Other Paid Absence on the timecard and as Special Leave – Paid in Leave of Absence on Workday.

5.6 9-Day Fortnight

As AWE’s standard working arrangement is a 9-day fortnight, if an employee chooses to take one week’s Paternity Leave in a week which includes a non-working Friday they will not be compensated with an extra day’s leave. Similarly, if the employee takes the leave as a 2 week period, they will not be compensated with an additional day’s leave for any days in that 2 week period which are non-working Fridays.

Other roles and sites e.g. Coulport, may have different working patterns that apply. Please contact Ask HR for further information.

5.7 Right to Time Off for Ante-Natal Appointments

You have the right to unpaid time off to accompany an expectant birth parent at up to 2 ante-natal appointments of up to 6.5 hours per appointment. There is no qualifying period of employment before you can exercise this right. You should record this as Unpaid Absence on your timecard and Special Leave – Unpaid in Leave of Absence on Workday.

5.8 Paternity Leave and Shared Parental Leave

Employees who are planning to take Paternity Leave and Shared Parental Leave (SPL) would be advised to plan to take their Paternity Leave first. The right to take Paternity Leave and receive Paternity Pay will be lost if Shared Parental Leave is taken first. However, if Paternity Leave is taken before Shared Parental Leave begins, the employee has a right to take Paternity Leave and receive Paternity Pay.

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Employees should also be aware that if they have given notice to start SPL after their baby is born, and the baby is born later than the expected week of childbirth and this does not leave one or 2 full weeks of time in which to take Paternity Leave before the notified SPL start date, the employee will lose the opportunity to take one week, or all, of their Paternity Leave. Employees would be advised to ensure that any plans should take into account that the baby could be up to 2 weeks' late.

5.9 Change of Circumstances

Any changes to personal circumstances, including becoming a parent, should be notified to Personnel Security in order to maintain security vetting and may need to be reported to UKSV to ensure the continuation of security clearance. Further information can be found in the Maintaining your Security Clearance Procedure³.

6 References

1. Shared Parental Leave Procedure, [REDACTED]
2. Maternity, Adoption and Shared Parental Leave Procedure, [REDACTED].
3. Maintaining your Security Clearance Procedure, [REDACTED]

7 Change History

Previous Issue No and Date	Revisions Made
7.0, June 2017	Sentence added to section 5.3, Paternity Leave, concerning an early birth and late notification.
7.1, July 2018	Template updated. Terminology changed from Policy to Procedure Added in accrual of statutory and contractual annual leave during periods of paid/unpaid Paternity Leave

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1 Purpose

The objective of this Procedure is to outline the Shared Parental Leave and Pay arrangements that AWE offers to its employees. These are more generous than the statutory requirements, but the statutory requirements underpin the procedure. The statutory qualifying criteria are applicable and the statutory notification timescales must be adhered to. It should be read in conjunction with the Maternity Leave Procedure¹ or the Adoption Leave Procedure² (whichever is applicable), the Paternity Leave Procedure³ and the Maternity, Adoption and Shared Parental Leave Procedure⁴.

2 Applicability

This procedure applies to all employees who meet the eligibility criteria as outlined in this document.

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4 Responsibilities

Employees are responsible for:

- Familiarising themselves with the contents of this procedure as soon as it is applicable to them;
- Ensuring they meet the qualifying criteria;
- Ensuring they abide by the timescales outlined in the procedure for notification purposes and submission of forms;
- Completing and returning the required forms and submitting any other required proof of eligibility as described in this procedure.

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5 Method

5.1 Principles

Shared Parental Leave is an entitlement where employees can share maternity or adoption leave and pay with their partner. Shared Parental Leave enables primary carers to commit to ending their Maternity or Adoption Leave and pay at a future date, and to share the untaken balance of leave and pay with their partner, or to return to work early from maternity or adoption leave and opt in to Shared Parental Leave and pay at a later date.

Shared Parental Leave should not be confused with Ordinary Parental Leave, which is unaffected by Shared Parental Leave. Ordinary Parental Leave is the entitlement to up to 18 weeks' unpaid leave. Further information can be found in the Parental Leave Procedure⁵.

In all cases, employees must speak to Ask HR before taking any further steps in relation to booking Shared Parental Leave.

Any reference to “a week” throughout this procedure refers to a calendar week of 7 days whatever number of days an employee would normally work, or would be due to work, in that week.

Shared Parental Leave (SPL) may be taken by either parent at any time within the period which begins on the date the child is born or the date of the Adoption placement and ends no later than 52 weeks after that date. Leave must be taken in complete weeks and may be taken either in a continuous or discontinuous period. SPL may be taken by the parents separately or together in accordance to the requirements outlined below. Any Maternity or Adoption Leave taken by the primary carer prior to the birth or placement will reduce the number of weeks available for SPL.

Shared Parental Leave cannot start until after the 2 weeks of compulsory Maternity Leave, which the birth parent must take immediately after the birth of the baby, has ended.

5.2 Qualifying for Shared Parental Leave

The primary carer must:

- Have at least 26 weeks continuous service by the end of the 15th week before the expected week of childbirth and must still be employed in the first week that SPL is to be taken;
- Have or expect to have, with their partner, the main responsibility for the care of the child;
- Be entitled to Statutory Maternity or Adoption Leave in respect of the child;
- End Statutory Maternity or Adoption Leave or have returned to work;
- Comply with the notice requirements to the Company relating to the entitlement to SPL (see below);
- Supply the required evidence to the Company;
- Provide the requisite notice;
- Have a partner who satisfies the employment and earnings test (see below);
- Have a partner who has, or expects to have (with the employee) the main responsibility for the care of the child;
- Agree to return to work for a minimum period of 3 months from the last date of leave.

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The primary carer's partner must:

- Have at least 26 weeks continuous service by the end of the 15th week before the expected week of childbirth or adoption placement and must still be employed in the first week that SPL is to be taken;
- Have or expect to have, with their partner, the main responsibility for the care of the child;
- Comply with the notice requirements to the Company relating to your entitlement to SPL (see below);
- Supply the required evidence to the Company;
- Provide the requisite notice;
- Have a partner who satisfies the employment and earnings test (see below);
- Have a partner who has, or expects to have (with the employee) the main responsibility for the care of the child;
- Agree to return to work for a minimum period of 3 months from the last date of leave.

5.3 Continuity of Employment

A parent requesting SPL must have been employed by AWE continuously for at least 26 weeks up to the 15th week before the expected week of childbirth, the "qualifying week." In other words, each parent must have worked for the employer for 40 weeks before the child's due date or the matching date. Each parent must also still be employed in the first week that SPL is taken.

5.4 Earnings Test

Each parent must pass the earnings test. Both must be employed, or be a self-employed earner, for at least 26 weeks of the 66 weeks immediately before the expected week of childbirth. The 66 week period is known as the test period. The earnings of both partners will be assessed during the test period.

The average weekly gross earnings must be equal to, or above, a specified limit which may change each tax year. The earnings are averaged over a 13 week period from within the 66 week test period. Each parent may choose which 13 weeks are best for them and the 13 weeks may be consecutive or separate. If an employee is in any doubt about whether or not they pass the earnings test Payroll should be contacted.

Please note:

Where only one partner meets the Continuity of Employment test, the partner may still be eligible for SPL. In other words, if one parent does not qualify for Statutory Maternity Pay as they do not have 26 week's service at the qualifying week, and therefore do not qualify for SPL, but do pass the Earnings test, the other parent may still be eligible for SPL provided they meet both tests.

5.5 Notification Criteria

An employee may give notice of SPL before or after the child's birth and may specify one or more periods of leave. The leave may be split into up to 3 separate blocks, each of no less than one week. By arrangement with their Line Manager an employee may split a block of leave into shorter periods of at least a week.

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The key notice periods are:

- The primary carer must give at least 8 weeks' notice to Ask HR outlining their intention to end their Maternity or Adoption Leave and Pay period.
- An employee or employees must give notice to Ask HR at least 8 weeks before the start of any period of SPL, stating when the leave will start and end.
- If the intention is to take several blocks of leave, the employee or employees must give 8 weeks' notice to Ask HR in respect of each period of leave, which includes 2 week's discussion time;
- After the child's birth or placement there is a 6 week period in which the primary carer, if they have already said they plan to share their Maternity or Adoption Leave with their partner, can change their mind and decide to stay on Maternity or Adoption Leave using up all the entitlement to leave and pay themselves, giving notice to Ask HR.

All notice must be given in writing as soon as possible using the Parental Leave Application Form⁶.

When giving notice, the information that must be given is:

- How much leave is available;
- How much leave the employee is entitled to take;
- How much leave the employee's partner is intending to take;
- How the employee expects to take their leave.

The employee will also be required to provide some further information on their partner's employment which is required for the records.

5.5.1 Patterns of Leave and Varying the Patterns of Leave

When the employee notifies the Company that they intend to take SPL they must give an indication of their expected leave pattern, although this is non-binding.

If the plan is to take SPL as a single continuous period of leave it can be taken as requested. A Line Manager cannot refuse such a request.

SPL can also be requested in discontinuous periods which may be taken alone or in conjunction with leave being taken by a partner. If the request is for a discontinuous period, the Line Manager can do one of the following:

- Agree to the request;
- Reject the request in its present form;
- Propose changes to the request; or
- Insist the entitlement is taken in a continuous block.

If the employee and their Line Manager cannot agree within 2 weeks of notice being given the request may be withdrawn or the leave can be taken as a single continuous block.

Up to 3 statutory notifications for leave or changes to periods of leave can be made. If a notice is withdrawn by the employee because the pattern of leave cannot be agreed it does not count towards the 3 notices.

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5.5.2 Curtailment of Maternity or Adoption Leave

Although Shared Parental Leave generally only starts once the primary carer has returned to work or has started annual leave, it is possible for the primary carer to give notice to curtail or cut short their Maternity or Adoption Leave some time in the future and the primary carers partner to start Shared Parental Leave from a date agreed, provided the correct notice has been given, whilst the primary carer is still on Maternity or Adoption Leave. Where the primary carer has given their employer notice to end their Maternity or Adoption Leave and it is accompanied by a notice of entitlement to Shared Parental Leave (or a declaration that their partner has given their employer notice of their entitlement to Shared Parental Leave and the primary carer consents to the leave their partner intends to take) then they are bound by this notice to end their Maternity or Adoption Leave except in very limited circumstances which are:

- The primary carer must not have returned to work **AND**
- The curtailment date has not passed **AND**
- One of the following circumstances apply:
 - Where it is discovered in the 8 weeks following notice that neither partner is entitled to Shared Parental Leave or Pay; **OR**
 - In the event of the death of the partner; **OR**
 - (for primary carers only) if the notice was given before the birth or adoption placement and the primary carer revokes their maternity leave curtailment notice in the 6 weeks' following the birth or adoption placement.

5.5.3 If the baby is born earlier than the due date or the adoption placement is brought forward

If the Company is notified with the required notice of an intention to take Shared Parental Leave to start within the period 8 weeks after the baby's expected date of birth or placement and the baby is born early or placed earlier, the leave may be taken early i.e. it can be brought forward, to be taken at the equivalent time had the baby been born or placed on the planned date.

The Company must be given notice to vary the Shared Parental Leave as soon as practical following the birth or placement. This can be done by emailing the Line Manager, copying Ask HR and Payroll to confirm the date of birth or date of placement and the change of dates, submitting a birth or adoption certificate to confirm the date of birth as soon as practicable.

For example, if the plan was to take 2 weeks of Paternity Leave after the birth or placement and the employee had booked 3 weeks Shared Parental Leave to be taken straight after Paternity Leave, being at home for a continuous period of 5 weeks, Paternity Leave could start after the birth or placement and the same amount of Shared Parental Leave could be taken after that, provided the Company had been notified of the birth or placement as soon as reasonably practicable afterwards.

5.5.4 If the baby is born later than the due date or the adoption placement is pushed back

If the baby is born or placed later than the planned date an employee cannot move their SPL start date back without giving the correct notice of 8 weeks. Additionally, an employee cannot take Paternity Leave after SPL has started or been taken. The primary carers partner should therefore take into consideration, when planning their leave, that SPL will start on the date declared. If there is no opportunity to take Paternity Leave before this, or there is the opportunity to only take one complete week, any other entitlement to Paternity Leave and Pay will be lost.

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Where the primary carer has given a leave curtailment notice with a leave curtailment date that falls within their compulsory Maternity Leave period (i.e. the 2 weeks following birth) because their baby is born late, the leave curtailment notice is invalid. In these circumstances the primary carer must give their employer a further leave curtailment notice (if they still wish to curtail their Maternity Leave before returning to work) and the leave curtailment date that they give in their second notice must be at least 8 weeks after that notice.

In these circumstances the primary carer must take at least 8 weeks' Maternity Leave before starting any Shared Parental Leave (because they needs to give 8 weeks' notice of their Maternity Leave curtailment date) but the primary carers partner can start to take Shared Parental Leave from the date they had specified if they wish.

5.6 Shared Parental Pay

Shared Parental Pay starts when the primary carer ceases to receive Maternity or Adoption Pay or gives notice to curtail their Maternity or Adoption Leave.

Shared Parental Pay will be either:

Primary Carer (AWE employee)

- Full pay for the remainder of 18 weeks untaken Maternity Leave or full pay for up to 20 weeks untaken Adoption Leave;
- Up to 19 weeks Statutory Shared Parental Pay at the current rate;
- Up to 13 weeks unpaid leave.

Primary Carers Partner (AWE employee)

- Full pay for up to 18 weeks of the 20 weeks untaken Maternity Leave or full pay for up to 20 weeks untaken Adoption Leave;
- Up to 19 weeks Statutory Shared Parental Pay at the current rate;
- Up to 13 weeks unpaid leave.

Example 1

Where both parents are employed by AWE and both opt to take time off together during the occupational pay period (first 20 weeks) they will have to share the full pay and leave. However, the primary carers partner's entitlement to SPL may only start if the primary carer has given notice to end their Maternity or Adoption Leave. They will be eligible for full pay only for the remainder of the full pay period that the primary carer has not taken during their Maternity or Adoption Leave. In other words, if the primary carer has taken 6 weeks of Maternity Leave or Adoption Leave on full pay, the primary carers partner will be eligible for a further 14 weeks of full pay on SPL. After this the parents may be eligible to share any Statutory Parental Pay and unpaid leave.

Where the parents do not take time off together, the entitlement to full pay for each partner will be up to 20 weeks full pay (shared) minus any Maternity or Adoption Leave paid at full pay rate AND minus any Shared Parental Leave taken and paid at full pay rate. Effectively, the 20 weeks full pay is a countdown in weeks starting from the date Maternity or Adoption Leave starts and the

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point at which either or both carers access it on Shared Parental Leave will determine how much full pay they are each, or both, entitled to.

Once the 20 weeks full pay is exhausted by either carer will move onto statutory leave for up to 19 weeks (shared), taken separately or taken together, followed by 13 weeks unpaid leave (shared) taken separately or taken together. However, please note that where 2 employees take time off together during the statutory pay period, only the primary carer will be eligible to receive statutory pay as it cannot be paid twice. The primary carers partner will be on unpaid leave. Only 39 weeks' of pay in total can be paid, shared in whatever way the carers specify within the limits of the procedure.

Example 2

Where just one parent works at AWE, for example, the primary carers partner, the 20 weeks full pay is a countdown in weeks starting from the date Maternity or Adoption Leave starts. For example, if the primary carer works elsewhere, the countdown to the paid leave the AWE employee can take starts on the day the primary carer's Maternity or Adoption Leave starts. For instance, if the primary carer takes 8 weeks Maternity or Adoption Leave straight after the baby is born or child is placed and then ends their Maternity or Adoption Leave, the primary carer's partner will only be eligible to 12 weeks full pay, up to 19 weeks statutory pay and possibly some unpaid leave. However, please note that where 2 employees take time off together during the statutory pay period, only the primary carer will be eligible to receive statutory pay as it cannot be paid twice. The primary carers partner will be on unpaid leave.

In All Cases, Points to Remember

- Any parent's entitlement to full pay and statutory pay during Shared Parental Leave is linked to the start of the primary carer's Maternity or Adoption Leave;
- The parents can only have 39 weeks of shared pay between them and 52 weeks of shared leave between them;
- The baby may be early or late;
- The primary carer may start their Maternity Leave before the baby is born and no later than the date declared on the MAT B1;
- The primary carer has to end their Maternity or Adoption Leave, or give notice of the curtailment of their Maternity or Adoption Leave, before Shared Parental Leave can start;
- The 2 weeks after the birth are compulsory Maternity Leave and Shared Parental Leave cannot start until after these 2 weeks, although the primary carers partner can have Paternity Leave during those 2 weeks;
- The right to Paternity Leave and Pay is lost if it is not taken before Shared Parental Leave;
- Either or both parents may use their annual leave entitlement any time before the birth, after the birth and/or joined onto Shared Parental Leave, at the beginning or end of it, to increase their time off.;
- Only one parent can receive statutory pay at any one time. Where both parents are off together, statutory pay defaults to the primary carer.

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5.7 SPLIT Days

In addition to the 10 Keeping in Touch (KIT) days which can be taken under the Maternity or Adoption Leave rules, each parent has the right to up to 20 Shared Parental Leave in Touch (SPLIT) days during SPL. The entitlement is to 20 SPLIT days each; this is either 20 whole days, 20 half days (or a combination of both, but would not include 40 half days each. Any amount of work done on a SPLIT day counts as one full SPLIT day even if the employee only comes into work for one hour. Payment will be for the full day regardless of the amount of time the employee has been in work for.

The Line Manager may use the days to update the employee on developments at work or to invite them to attend occasional team meetings, team events or training sessions. The SPLIT days may also be used for any activity which would ordinarily be classed as work under the contract. The employee's Task Manager may also liaise with the Line Manager and the employee on the use of some SPLIT days to keep the employee up to date with their work area or changes to the work area. Payment will be made after the SPLIT day is worked. The Line Manager should enter the information into Workday in order for the payment to be made.

"A day" in this context is a normal working day of 8.25 hours (Monday to Thursday) or 8 hours on a Friday and half a day is half of this, for a full-time employee. Normal hours for a part-time employee or someone not working standard hours would be their contractual hours for any given day.

5.8 Death of the Child

If the child dies after the employee (or the employee and their partner) have opted to take Shared Parental Leave and/or pay, they each continue to be entitled to take the leave and pay that had been booked before the death. Any entitlement to Shared Parental Leave or Pay that had not been booked at the time of the child's death is no longer available to either parent. The employee may, however, reduce a period of leave that had been booked, or cancel a period of leave, subject to 8 weeks' notice. No further notice can be given to book leave and only one variation notice may be given to reduce a period of leave or to aggregate discontinuous weeks into a single block of leave.

5.9 Annual Leave

An employee will continue to accrue both statutory and contractual annual leave during paid and unpaid Shared Parental Leave.

Where an employee returns to work near to the end of the annual leave year i.e. after 30th September, any accrued annual leave can be carried over in excess of the carry overrule of 74 hours. Carried over leave in excess of 74 hours must be used within the first three months of the leave year.

5.10 Return to Work

The employee has a right to return to the same job when taking leave of 26 weeks or under, even if the leave is taken in discontinuous blocks. In this case the right is to return to the same job on the same terms and conditions as if they had not been absent.

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If the employee is absent for more than 26 weeks in total, they have the right to return to the same job unless this is not reasonably practical. If it is not reasonably practical, they must be offered a job that is suitable and appropriate in the circumstances, on the same terms and conditions as the old job e.g. payment must be at least the same.

6 References

Repository	Registry Number	Title
Management System	[REDACTED]	1. Maternity Leave Procedure
	[REDACTED]	2. Adoption Leave Procedure
	[REDACTED]	3. Paternity Leave Procedure
	[REDACTED]	4. Maternity, Adoption and Shared Parental Leave Procedure
	[REDACTED]	5. Parental Leave Procedure
	[REDACTED]	6. Parental Leave Application Form
	[REDACTED]	7. Shared Parental Leave in Touch (SPLIT) Days Checklist

7 Change History

Previous Issue No and Date	Revisions Made
1.2 March 2021	Reviewed for Payroll Project. Amends made to SPLIT form and SPLIT payment date. Update to template and references.
1.1 December 2018	Template updated. Terminology changed from Policy to Procedure Clarification that entitlements to Shared Parental Leave and Pay is shared Updated to include Adoption Leave Added in accrual of statutory and contractual annual leave during periods of paid/unpaid Shared Parental Leave
1.0 December 2018	Content review. HR Policy Handbook now referred to as HR Handbook.
New	Reviewed for Workday. No changes made but words tidied up and the Shared Parental Leave Policy has been split out from the previous, Maternity, Paternity, Adoption and Shared Parental Leave Policy.