

## **Bumblebee Conservation Trust Parental Policies:**

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Date: June 2024

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## Bumblebee Conservation Trust – Maternity Policy

### 1. **About this policy**

- 1.1 This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth and sets out the arrangements for pregnancy-related sickness, health and safety, and maternity leave.
- 1.2 This policy applies to all pregnant employees of the Trust, regardless of any protected characteristic (including sexual orientation and/or gender reassignment) or their length of service. Employees who are pregnant surrogates are also covered under this policy.
- 1.3 This policy only applies to employees and does not apply to agency workers or self-employed contractors. This policy does not form part of any employee's contract of employment and we may amend it at any time.

### 2. **Initial communication**

- 2.1 Please inform your line manager as soon as possible that you are pregnant. This is important as they will need to conduct a risk assessment of your role and your workplace and consider any adjustments to protect your health and safety. The HR Manager will also need to be informed at this early stage to ensure that the necessary processes are carried out.

### 3. **Time off for ante natal appointments**

- 3.1 If you are pregnant, you may take reasonable paid time off during working hours for antenatal appointments. This may include any relaxation or parenting classes that your doctor, midwife or health visitor has advised you to attend.
- 3.2 You should try to give us as much notice as possible of the appointment. Please ensure your line manager is aware of dates and they are logged onto the HR System.
- 3.3 Unless it is your first appointment, we may ask to see a certificate confirming your pregnancy and an appointment card.

### 4. **Entitlement to maternity leave**

- 4.1 All employees are entitled to up to 52 weeks' maternity leave, consisting of 26 weeks' ordinary maternity leave (**OML**) and 26 weeks' additional maternity leave (**AML**).
- 4.2 If you have more than one post with the Trust, then the start and end dates of your Maternity Leave need to be the same for each of your roles. You will need to tell both of your managers about your pregnancy, but the maternity processes will usually be handled by your primary manager – the one for the role with the most contracted hours.

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- 4.3 In some cases, you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. You will need to give us at least eight weeks' notice to opt into SPL, and you must remain on maternity/pregnant parent leave until at least two weeks after birth. For information about SPL, see our Shared Parental Leave (Birth) Policy.

## **5. Notification**

- 5.1 Before the end of the fifteenth week before the week that you expect to give birth (**Qualifying Week**), or as soon as reasonably practical afterwards, you must tell us:

- (a) the week in which your doctor or midwife expects you to give birth (**Expected Week of Childbirth**); and
- (b) the date on which you would like to start your maternity leave (**Intended Start Date**).

You can use the Maternity Leave Application Form to do this.

- 5.2 We will write to you within 28 days to tell you your maternity pay entitlement and the date that we will expect you to return to work if you take your full maternity leave entitlement (**Expected Return Date**).

- 5.3 Once you receive a certificate from a doctor or midwife confirming your Expected Week of Childbirth (MATB1), you must provide us with a copy, and within 21 days of your SMP start date.

## **6. Starting maternity leave**

- 6.1 The earliest you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).

- 6.2 If you want to change your Intended Start Date, please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new expected return date.

- 6.3 Shortly before your maternity leave is due to start, we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events.

- 6.4 Your maternity leave will normally start on the Intended Start Date. However, it may start earlier if you give birth before your Intended Start Date, or if you are absent for a pregnancy-related reason in the last four weeks before your Expected Week of Childbirth. In either of those cases, maternity leave will start on the following day.

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- 6.5 The law says that we cannot allow you to work during the two weeks following childbirth.

## **7. Pregnancy and baby loss**

- 7.1 Where a miscarriage or termination occurs before 24 weeks into the pregnancy, the entitlements no longer arise for maternity leave, EMP and SMP. You may however be entitled to two weeks of Parental Bereavement Leave and Statutory Parental Bereavement Leave pay, occupational sick pay and bereavement leave. More details will be provided by HR.
- 7.2 If a pregnancy ends in stillbirth after the 24th week of pregnancy, then the entitlement to maternity leave and pay remains and commences from the day after the stillbirth. If you are also eligible for two weeks of Parental Bereavement Leave and Statutory Parental Bereavement Leave pay, then you have the right to take this after you finish your maternity leave. Bereavement leave will also be available. More details will be provided by HR.

## **8. Maternity pay**

- 8.1 Statutory maternity pay (**SMP**) is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. If you qualify for SMP, then the Trust offers Enhanced Maternity Pay (EMP) whereby you shall receive 90% of your average earnings for the first 12 weeks. The remaining 27 weeks will be SMP only and is paid at a rate set by the government each year.
- 8.2 Weeks 40-52 are unpaid.
- 8.3 If you don't qualify for SMP, then you might be able to claim Maternity Allowance from the Government. You will receive an SMP1 form and you can contact your local Jobcentre Plus to find out if you're eligible.

## **9. During maternity leave**

- 9.1 With the exception of terms relating to pay, your terms and conditions of employment remain in force during OML and AML.
- 9.2 Holiday entitlement will continue to accrue during maternity leave. If your maternity leave will continue into the next holiday year, then any holiday entitlement that is not taken before starting your maternity leave can be carried over and must be taken ideally at the end of your maternity leave and within the holiday year in which you return.
- 9.3 If you are a member of the pension scheme, we shall make employer pension contributions during OML and any period of paid AML, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any maternity pay you are receiving, and the Trust will "top

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up" your contributions to match your contribution based on your normal salary.

## **10. Keeping in touch**

- 10.1 We may make reasonable contact with you from time to time during your maternity leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.
- 10.2 You may work (including attending training) on up to ten "keeping-in-touch" days during your maternity leave. This is not compulsory and must be discussed and agreed with your line manager. These KIT days should be logged on the HR system.
- 10.3 You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any maternity pay entitlement.

## **11. Returning to work**

- 11.1 You must return to work on the Expected Return Date unless you tell us otherwise. If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the Expected Return Date if you request annual leave or parental leave, which will be at our discretion.
- 11.2 You are normally entitled to return to work in the position you held before starting maternity leave, and on the same terms of employment. However, if you have taken AML and it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.
- 11.3 Your manager will get in touch with you before you come back to work to talk about the arrangements for your return. This will include reviewing the risk assessment and considering any support needed for breast feeding arrangements.
- 11.4 If you want to change your hours or other working arrangements on return from maternity leave, you should discuss this with your manager. It is helpful if such requests are made as early as possible. Please refer to the Flexible Working Policy for details of the process.

## **12. Protection from Redundancy**

- 12.1 An employee on maternity leave and who is at risk of redundancy is legally entitled to be offered a suitable alternative vacancy where one exists before it is offered to other employees (including those who also at risk of redundancy).
- 12.2 This additional protection starts when notice of the pregnancy is given and lasts until 18 months after either:
- the date of the child's birth, or
  - the week of expected birth if notice of birth is not provided.

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This includes where the employee suffers a miscarriage after 24 weeks of pregnancy.

Where an employee is pregnant but suffers a miscarriage before 24 weeks, this additional protection ends two weeks after the end of the pregnancy.

- 12.3 The alternative role should in all cases be offered before the end of the original contract and begin the day immediately following the day on which their original contract comes to an end. The new post must be suitable and appropriate for the employee in the circumstances and the new contractual provisions must not be substantially less favourable than those of the previous contract.

### **13. Ending employment**

- 13.1 If you decide you do not want to return to work, you should give written notice of resignation in accordance with your contract. Your employment will end once your notice period comes to an end.
- 13.2 There is no requirement to repay any EMP or SMP if you resign during or after your maternity leave.
- 13.3 The Trust will pay the appropriate EMP/SMT entitlement until the last day of employment. After this date, if you are entitled to SMP, this will be paid as a lump sum in your final payslip, plus any outstanding annual leave.

### **14. Support**

- 14.1 Your line manager and/or the HR Manager is available to you for support and information.
- 14.2 Our Employee Assistance Programme is an independent and confidential source of additional support for you.

## **Bumblebee Conservation Trust - Adoption policy (including fostering)**

### **1. About this policy**

- 1.1 This policy sets out the arrangements for adoption leave (AL) and pay for employees who are either;
- Adopting a child
  - Fostering a child permanently and becoming their legal parent (fostering to adopt);
  - Having a child through a surrogacy arrangement
- 1.2 This policy applies to all employees of the Trust who are to be a “primary adopter”, regardless of any protected characteristic (including sexual orientation and/or gender reassignment) or their length of service.
- 1.3 This policy only applies to employees and does not apply to agency workers or self-employed contractors. It does not form part of any employee’s contract of employment and we may amend it at any time.

### **2. Fostering**

- 2.1 The Trust wishes to support staff who are considering fostering a child. We will, wherever possible, adopt a flexible approach to staff who foster. For temporary fostering placements, leave will be considered in line with guidance on other forms of absence set out in the staff handbook. This leave can be extended by 5 consecutive working days (pro rata for part time staff), either on a paid or unpaid basis, where authorised by the Head of Department.
- 2.2 For permanent fostering, the line manager will consider providing time off in line with the arrangements for Adoption Leave/Pay as detailed in this Policy. In such circumstances, the staff member should submit the request in writing giving as much notice as possible (this should be a minimum of 28 days’ notice, where possible) and providing as much detail as possible in support of the request. The line manager will forward the request to the HR Manager who will consult the Head of Dept and the CEO. The decision on any such leave and payment will be confirmed and each request will be considered on a case by case basis.

### **3. Early communication**

- 3.1 An employee going through the adoption process is encouraged to have an informal discussion with their manager about this as early as is reasonably possible to enable mutual planning and support. The HR Manager will also need to be informed at this early stage to ensure that the necessary processes are carried out.

### **4. Time off for adoption appointments**

- 4.1 An adoption appointment is an appointment arranged by an adoption agency (or at the agency's request) for you to have contact with a child who is to be placed with you for adoption, or for any other purpose related to the adoption.

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- 4.2 You may take time off to attend an adoption appointment once the agency has notified you that a child is to be placed with you for adoption but before the child is actually placed with you.

**If you are adopting a child with another person**

- 4.3 Where you and your partner are adopting a child, you must decide between you who will be treated as the primary adopter and who will be treated as the secondary adopter for the purposes of time off. You must tell us your decision the first time you request time off for an adoption appointment. This will affect how much time you can take off and whether it is paid.
- 4.4 You would usually choose to be the primary adopter if you intend to take adoption leave when the child is placed with you. You would not be able to take paternity leave if you have elected to be the primary adopter.
- 4.5 You would usually choose to be the secondary adopter if you intend to take paternity leave when the child is placed with you, although you may be able to take adoption leave if your partner is not taking it.

**If you are adopting a child alone**

- 4.6 If you are adopting a child alone, you are treated as the primary adopter.

**If you are adopting more than one child**

- 4.7 If the agency is placing more than one child with you as part of the same arrangement, this is treated as one adoption and will not increase the number of appointments you can take time off to attend. Any time off under this policy must be taken before the first child is placed with you.

**Amount of time off**

- 4.8 If you are adopting on your own or have elected to be the primary adopter, you may take paid time off to attend an adoption appointment on up to five occasions in relation to any particular adoption (up to 6.5 hours per appointment). If you are the secondary adopter, you may take unpaid time off to attend an adoption appointment on up to two occasions only.
- 4.9 Adoptive parents in a surrogacy arrangement are entitled to unpaid leave to attend up to two antenatal appointments.

**How to book time off**

- 4.10 Please give us as much notice of the appointment as possible. You must provide your Line Manager with a signed statement or an email confirming:
- (a) The date and time of the appointment.

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- (b) That the appointment has been arranged or requested by the adoption agency.
- (c) Whether you are adopting a child alone or jointly with another person.
- (d) If you are adopting with another person, whether you are electing to take paid or unpaid time off.

4.11 We may sometimes ask you to try and rearrange an appointment where it is reasonable to do so. In exceptional circumstances we reserve the right to refuse a request for a particular appointment, but we will not do so without good reason.

4.12 Please ensure that your appointment time off is logged in the HR system.

## **5. Entitlement to adoption leave**

5.1 There is no qualifying length of service requirement for Adoption Leave.

5.2 The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave (**OAL**) and 26 weeks' Additional Adoption Leave (**AAL**).

5.3 You are entitled to adoption leave if you meet all the following conditions:

- (a) If you are adopting a child through a UK or overseas adoption agency; The adoption agency has given you written notice that it has matched you with a child for adoption and tells you the date the child is expected to be placed into your care with a view to adoption (**Expected Placement Date**).
- (b) For overseas adoptions, the written notice must show the official notification that you are allowed to adopt and the date of the child's arrival in the UK.
- (c) You have notified the agency that you agree to the child being placed with you on the Expected Placement Date.
- (d) If you are fostering to adopt, then evidence of the placement must be provided (for example, a letter from the adoption agency).
- (e) Where there is a surrogacy agreement, you should provide a statutory declaration confirming that you intend to apply for a parental order in the six months after the baby's birth and expect the order to be granted.
- (f) Your spouse or partner will not be taking adoption leave with their employer (although they may be entitled to take paternity leave).

5.4 You are not entitled to take adoption leave for a private adoption. This is where no adoption agency is involved (for example if you're adopting a relative or stepchild).

5.5 If you adopt or foster to adopt 2 or more children on the same placement, you are only entitled to one period of adoption leave. If it's a separate placement, you are entitled to a second period of adoption leave. Your adoption leave restarts when the second placement begins.

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5.6 If you have more than one post with the Trust, then the start and end dates of your Adoption Leave need to be the same for each of your roles. You will need to tell both of your managers about your adoption, but the adoption processes will usually be handled by your primary manager – the one for the role with the most contracted hours.

5.7 In some cases, you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. You will need to give us at least eight weeks' notice to opt into SPL, and one of you must take at least two weeks' adoption leave. For information about SPL, see our Shared Parental Leave (Adoption) Policy.

## **6. Notification requirements**

6.1 Not more than seven days after the agency notifies you in writing that it has matched you with a child (or where that is not reasonably practicable, as soon as reasonably practicable), you must give us notice in writing of the Expected Placement Date, and your intended start date for adoption leave (**Intended Start Date**).

6.2 Where you plan to adopt a child or apply for a parental order following a surrogacy agreement, you must notify us at least 15 weeks before your intended AL start date.

6.3 You can use the Adoption Leave Request Form to make your notification.

6.4 We will then write to you within 28 days to inform you of your adoption leave and pay entitlement, and the expected return date, assuming you take your full entitlement to adoption leave.

6.5 Once you receive the matching certificate issued by the adoption agency, you must provide us with a copy.

## **7. Starting adoption leave**

7.1 For UK adoptions, OAL may start on a predetermined date no more than 14 days before the Expected Placement Date, or on the date of placement itself, but no later.

7.2 For overseas adoptions, OAL may start when the child arrives in the UK or within 28 days after the child arrives in the UK.

7.3 For adopting if using a surrogate, OAL can start the day the child is born or the day after.

7.4 If you want to change your Intended Start Date, please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new expected return date.

## **8. Adoption pay**

8.1 Statutory adoption pay (**SAP**) is payable for up to 39 weeks provided you have at Policy document: Parental Policies

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least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks SAP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year. For further information, please speak to the HR Manager.

8.2 Weeks 40-52 are unpaid.

8.3 If you don't qualify for SAP, then you might be able to claim financial support from other services. You will receive an SAP1 form and you can contact your local Jobcentre Plus to find out if you are eligible.

## **9. During adoption leave**

9.1 All the terms and conditions of your employment remain in force during OAL and AAL, except for the terms relating to pay.

9.2 Holiday entitlement will continue to accrue at the rate provided under your contract. If your adoption leave will continue into the next holiday year, any holiday entitlement that is not taken before starting your adoption leave can be carried over and must be taken ideally at the end of AL within the holiday year in which you return.

9.3 If you are a member of the pension scheme, we shall make employer pension contributions during OAL and any further period of paid adoption leave based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any adoption pay you are receiving, unless you inform that you wish to make up any shortfall.

## **10. Keeping in touch**

10.1 We may make reasonable contact with you from time to time during your adoption leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

10.2 You may work (including attending training) on up to ten "keeping-in-touch" days during your adoption leave. This is not compulsory and must be discussed and agreed with your line manager. These KIT days should be logged on the HR system.

10.3 You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any adoption pay entitlement.

## **11. Child's placement ends**

11.1 If the child's placement ends during the AL period, you will be able to continue AL for up to eight weeks after the end of the week in which the placement stops. Payment of adoption pay continues for this eight week period, or until the end of the employees SAP period if that is sooner.

11.2 Additional support options will be explained by the HR Manager.

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## **12. Returning to work**

- 12.1 You must return to work on the expected return date unless you tell us otherwise. If you wish to return to work early, you must give us at least eight weeks' notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the expected return date if you request annual leave or parental leave, which will be at our discretion.
- 12.2 You are normally entitled to return to work in the position you held before starting adoption leave, on the same terms of employment. However, if you have taken AAL and it is not reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.
- 12.3 Your manager will get in touch with you before you come back to work to talk about the arrangements for your return.
- 12.4 If you want to change your hours or other working arrangements on return from adoption leave, you should discuss this with your manager. It is helpful if such requests are made as early as possible. Please refer to the Flexible Working Policy for details of the process.

## **13. Protection from Redundancy**

- 13.1 An employee who is on adoption leave and who is at risk of redundancy is legally entitled to be offered a suitable alternative vacancy where one exists before it is offered to other employees (including those who are also at risk of redundancy).
- 13.2 This additional protection starts at the beginning of adoption leave and lasts for 18 months from that date. In the case of overseas adoptions, this protection starts from the date of entry into Great Britain and lasts for 18 months from that date.
- 13.3 The alternative role should in all cases be offered before the end of the original contract and begin the day immediately following the day on which their original contract comes to an end. The new post must be suitable and appropriate for the employee in the circumstances and the new contractual provisions must not be substantially less favourable than those of the previous contract.

## **14. Ending employment**

- 14.1 If you decide you do not want to return to work, you should give written notice of resignation in accordance with your contract. Your employment will end once your notice period comes to an end.
- 14.2 There is no requirement to repay any AP if you resign during or after your adoption leave.

## **15. Support**

- 15.1 Your line manager and/or the HR Manager is available to you for support and information.

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- 15.2 Our Employee Assistance Programme is an independent and confidential source of additional support for you.

## Bumblebee Conservation Trust - Paternity policy

### 1. About this policy

- 1.1 This policy outlines the arrangements when you may be entitled to paternity leave and paternity pay because your partner's having a baby, adopting a child or having a baby through a surrogacy arrangement.
- 1.2 This policy only applies to employees and does not apply to agency workers or self-employed contractors. This policy does not form part of any employee's contract of employment and we may amend it at any time.

### 2. Time off for appointments

- 2.1 You may take unpaid time off to accompany a pregnant woman to an antenatal appointment if you have a "qualifying relationship" with the woman or the child. This means that either:
- (a) you are the baby's father;
  - (b) you are the pregnant woman's spouse, civil partner or cohabiting partner or are living with her in an enduring family relationship and she is not your sister, mother, grandmother, aunt or niece; or
  - (c) she has undergone assisted conception and at that time you were her wife or civil partner or gave the required legal notices to be treated in law as the second female parent; or
  - (d) you are one of the intended parents in a surrogacy arrangement and expect to obtain a parental order in respect of the child.
- 2.2 You may take unpaid time off to accompany a pregnant woman to up to two antenatal appointments in relation to each pregnancy (for up to 6.5 hours per appointment). Further time off for antenatal appointments is in our absolute discretion.
- ### 3. Entitlement to paternity leave
- 3.1 Paternity leave is available on the birth of a child if you have been continuously employed by us for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth and either:
- (a) you are the biological father and will have some responsibility for the child's upbringing; or
  - (b) you are the spouse, civil partner or cohabiting partner of the biological mother (or adopter) and will have the main responsibility (with the mother) for the child's upbringing.
  - (c) You are the intended parent (if you're having a baby through a surrogacy arrangement)

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- 3.2 Paternity leave is available where a child is placed with you for adoption by an adoption agency, if you have been continuously employed by us for at least 26 weeks ending with the week in which the agency notifies you that you have been matched with a child (or for overseas adoptions, this is either the week the child enters the UK or the week you want your pay or leave to start). In such cases you may be entitled to take adoption leave instead (see our Adoption Policy). However, adoption leave may only be taken by one adoptive parent. Paternity leave is available to the other adoptive parent (of either sex).
- 3.3 If you have more than one post with the Trust, then the start and end dates of your Adoption Leave need to be the same for each of your roles. You will need to tell both of your managers about your adoption, but the adoption processes will usually be handled by your primary manager – the one for the role with the most contracted hours.
- 3.4 In some cases you and your partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. You cannot take Paternity Leave after you take SPL. For information about SPL, see our Shared Parental Leave (Birth) and Shared Parental Leave (Adoption) Policies.

#### **4. Notification**

- 4.1 To take paternity leave you must give us written notice by at least 28 days before each period of leave (or no more than seven days after the adoption agency notified you of being matched with a child), or as soon as you reasonably can, stating:
- (a) the Expected Week of Childbirth;
  - (b) whether you intend to take one week or two weeks' leave; and
  - (c) when you would like your leave to start.
- 4.2 For surrogacy arrangements, within 28 days or as soon as you're reasonably able, before you want your leave to start.
- 4.3 You do not have to give a precise date when you want to take leave. Instead you can give a general time, such as the day of the birth or one week after the birth.
- 4.4 You do not need to give proof of the pregnancy or birth.
- 4.5 You can use the Paternity Request Form to make this request.
- 4.6 You can change the intended start date by giving us 28 days' notice or, if this is not possible, as much notice as you can.

#### **5. Taking paternity leave**

- 5.1 Paternity leave is a period of either one or two weeks' leave taken when a child is

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born or placed with you for adoption. If you choose to take 2 weeks, you can take them together or separately.

- 5.2 You can start your leave on the date of birth or placement, or later, provided it is taken within 52 weeks of the birth or placement. (If the baby is premature the period ends 52 weeks after the start of the Expected Week of Childbirth.) For overseas adoptions, you can start your leave as early as the date the child arrives in the UK.
- 5.3 For adoptions within the UK and overseas, your leave must end within 52 weeks of your placement or arrival date.
- 5.4 For surrogate parents, you can start your leave from the date the child is born or later. It must end within 52 weeks of the birth.
- 5.5 You get the same amount of leave even if you have more than one child (for example, twins).
- 5.6 A week of leave is the same amount of days that you normally work in a week. For example, if you only work on Mondays and Tuesdays, then a week of leave is 2 days.

## **6. Paternity pay**

- 6.1 The Trust offers Enhance Paternity Pay (EPP) to all eligible staff who have at least 26 weeks continuous service up to the end of any day in the 'qualifying week'. The 'qualifying week' is the 15th week before the baby is due. This is different if you adopt.
- 6.2 EPP is paid at a rate of 1 or 2 weeks' full pay based on declared Paternity leave.
- 6.3 If you don't qualify for EPP, then you might be able to claim financial support from other services. You will receive an SPP1 form and you can contact your local Jobcentre Plus to find out if you are eligible.

## **7. During paternity leave**

- 7.1 All the usual terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay.
- 7.2 Holiday entitlement will continue to accrue during paternity leave. If your paternity leave continues into the next holiday year, any remaining holiday that is not taken before your paternity leave can be carried over to the next holiday year and must be taken within the holiday year in which you return.
- 7.3 If you are a member of our pension scheme, we will make employer pension contributions during paternity leave, based on your normal salary, in accordance with the scheme rules. Any employee contributions you make will be based on the amount of any paternity pay you are receiving, unless you inform the Head of Finance that you wish to make up any shortfall.

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## **8. If you lose your baby**

- 8.1 You can still get Paternity Leave or Pay if your baby is stillborn from 24 weeks of pregnancy or born alive at any point during the pregnancy.
- 8.2 You can take any leave you booked before losing the baby. If after losing the baby you have leave left to book, you can still book and take this. You must do this within 8 weeks of the death.
- 8.3 You may also be eligible for [Statutory Parental Bereavement Pay and Leave](#), Additional bereavement leave will also be available as explained by the HR Manager.

## **9. Support**

- 9.1 Your line manager and/or the HR Manager is available to you for support and information.
- 9.2 Our Employee Assistance Programme is an independent and confidential source of additional support for you.

## Bumblebee Conservation Trust - Shared parental leave (birth) policy

### 1. About this policy

- 1.1 This policy outlines the arrangements for shared parental leave and pay in relation to the birth of a child. If you are adopting a child, please see the Shared Parental Leave (Adoption) Policy instead.
- 1.2 This policy applies to employees. It does not apply to agency workers or self-employed contractors.
- 1.3 This policy does not form part of any employee's contract of employment and we may amend it at any time.

### 2. Frequently used terms

- 2.1 The definitions in this paragraph apply in this policy.

**Expected week of childbirth (EWC):** the week, beginning on a Sunday, in which the doctor or midwife expects your child to be born.

**Parent:** One of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father).

**Partner:** your spouse, civil partner or someone living with you in an enduring family relationship, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

**Qualifying Week:** the fifteenth week before the EWC.

**ESPP:** Enhanced Shared Parental Pay

**SbPP:** Statutory Shared Parental Pay

### 3. What is shared parental leave?

- 3.1 Shared parental leave (**SPL**) is a form of leave that gives you and your partner more flexibility in how to share the care of your child in the first year after birth, rather than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

### 4. Entitlement to SPL

- 4.1 You are entitled to SPL in relation to the birth of a child if:

(a) you are the child's mother, and share the main responsibility for the care of the child

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with the child's father or with your partner;

- (b) you are the child's father and share the main responsibility for the care of the child with the child's mother; or
- (c) you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

42 The following conditions must also be fulfilled:

- (a) you and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.

**(b) If both parents want to share the SPL and ShPP**

- Both parents must meet the same eligibility criteria to get SPL and ShPP. You must:
  - have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date
  - stay with the same employer until you start your SPL
- To be eligible for SPL, you must be 'employees' (not 'workers').
- To be eligible for ShPP, you must each earn on average at least £123 a week.

**(c) If the mother's partner wants to take the SPL and ShPP**

- For the mother's partner to take SPL and ShPP, both the mother and the mother's partner must meet some eligibility requirements.
- The mother must:
  - have been working for at least 26 weeks out of the 66 weeks before the week the baby's due (the 26 weeks do not need to be in a row)
  - have earned at least £390 in total across any 13 of the 66 weeks (add up the highest paying weeks - they do not need to be in a row)
- The mother's partner must:

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- have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date
- stay with the same employer until they start their SPL
- To be eligible for SPL, the partner must be an 'employee' (not a 'worker').
- To be eligible for ShPP, the partner must earn on average at least £123 a week.

**(d) If the mother wants to take the SPL and ShPP**

- For the mother to take SPL and ShPP, both the mother's partner and the mother must meet some eligibility criteria.
- The mother's partner must:
  - have been working for at least 26 weeks out of the 66 weeks before the week the baby's due (the 26 weeks do not need to be in a row)
  - have earned at least £390 in total in 13 of the 66 weeks (add up the highest paying weeks - they do not need to be in a row)
- The mother must:
  - have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date
  - stay with the same employer until they start their SPL
- To be eligible for SPL, the mother must be an 'employee' (not a 'worker').

**(e) To be eligible for ShPP, the mother must earn on average at least £123 a week**

- 43 The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave).
- 44 If you are the mother, you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth. Therefore, the maximum number of SPL weeks available are 50.
- 45 If you are the child's father or the mother's partner, you should consider using your two weeks' paternity leave before taking SPL. Once you start SPL, you will lose any untaken paternity leave entitlement. SPL entitlement is additional to your paternity leave entitlement.

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## 5. **Opting in to shared parental leave and pay**

5.1 Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice giving:

- (a) your name and the name of the other parent;
- (b) if you are the child's mother, the start and end dates of your maternity leave;
- (c) if you are the child's father or the mother's partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any SMP or MA period;
- (d) the total SPL available, which is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken;
- (e) how many weeks of the available SPL will be allocated to you and how many to the other parent (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- (f) if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of the SMP or MA period taken or to be taken);
- (g) how many weeks of available ShPP will be allocated to you and how much to the other parent. (You can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- (h) an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave (see paragraph 9 and paragraph 10 for information on taking leave). This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
- (i) declarations by you and the other parent that you both meet the statutory conditions to enable you to take SPL and ShPP.

## 6. **Ending your maternity leave**

6.1 If you are the child's mother and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your maternity leave (a **curtailment notice**) before you can take SPL. The notice must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

6.2 You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme (see paragraph 5) or a written declaration that the other parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

6.3 The other parent may be eligible to take SPL from their employer before your maternity leave ends, provided you have given the curtailment notice.

6.4 The curtailment notice is binding and cannot usually be revoked. You can only revoke a curtailment notice if maternity leave has not yet ended and one of the following applies:

- (a) if you realise that neither you nor the other parent are in fact eligible for SPL or ShPP,

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in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;

- (b) if you gave the curtailment notice before giving birth, you can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later; or
- (c) if the other parent has died.

65 Once you have revoked a curtailment notice you will be unable to opt back into the SPL scheme, unless paragraph 6.4(b) applies.

## **7. Ending your partner's maternity leave or pay**

7.1 If you are not the mother, but the mother is still on maternity leave or claiming SMP or MA, you will only be able to take SPL once she has either:

- (a) returned to work;
- (b) given her employer a curtailment notice to end her maternity leave;
- (c) given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
- (d) given the benefits office a curtailment notice to end her MA (if she is not entitled to maternity leave or SMP).

## **8. Evidence of entitlement**

8.1 You must also provide on request:

- (a) A copy of the birth certificate (or if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
- (b) The name and address of the other parent's employer (or a declaration that they have no employer).

## **9. Booking your SPL dates**

9.1 Having opted into the SPL system, you must book your leave by giving us a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.

9.2 The period of leave notice can either give the dates you want to take leave or, if the child has not been born yet, it can state the number of days after birth that you want the leave to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of birth and wish to take SPL straight afterwards.

9.3 Leave must be taken in blocks of at least one week.

9.4 If your period of leave notice gives a single continuous block of SPL you will be entitled to take the leave set out in the notice.

9.5 If your period of leave notice requests split periods of SPL, with periods of work in between, we will consider your request as set out in paragraph 10, below.

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96 You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave, this will in most cases count as a further period of leave notice; see paragraph 11)

## **10. Procedure for requesting split periods of SPL**

10.1 In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your line manager and HR in good time before formally submitting your period of leave notice. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

10.2 If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

- (a) choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
- (b) withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case the notice will not be counted and you may submit a new one if you choose).

## **11. Changing the dates or cancelling your SPL**

11.1 You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

11.2 You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date or the new start date, whichever is earlier.

11.3 You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date or the new end date, whichever is earlier.

11.4 You can combine discontinuous periods of leave into a single continuous period of leave. Since this will involve a change to the start date or end date of a period of leave, see paragraph 11.2 and paragraph 11.3 above which set out how much notice is required.

11.5 You can request that a continuous period of leave be split into two or more discontinuous periods of leave, with periods of work in between. Since this will involve a change to the start date or end date, see paragraph 11.2 and paragraph 11.3 above which set out how much notice is required for the request. We do not have to grant your request but will consider it as set out in paragraph 10.

11.6 A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:

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- (a) it is a result of your child being born earlier or later than the EWC;
- (b) you are cancelling a request for discontinuous leave within two days of the end of the two-week discussion period under paragraph 10.2.
- (c) it is at our request; or
- (d) we agree otherwise.

## **12. Premature birth**

121 Where the child is born early (before the beginning of the EWC), you may be able to start SPL in the eight weeks following birth even though you cannot give eight weeks notice. The following rules apply:

- (a) If you have given a period of leave notice to start SPL on a set date in the eight weeks following the EWC, but your child is born early, you can move the SPL start date forward by the same number of days, provided  
     you notify us in writing of the change as soon as you can. (If your period of leave notice already contained a start date which was a set number of days after birth, rather than a set date, then no notice of change is necessary.)
- (b) If your child is born more than eight weeks early and you want to take SPL in the eight weeks following birth, please submit your opt-in notice and your period of leave notice as soon as you can.

## **13. Shared parental pay**

131 The Trust offers Enhanced Shared Parental Pay (ESPP) which is paid in line with the Enhanced Maternity Pay.

132 You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SMP or MA claimed by you or your partner) if you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid by employers at a rate set by the government each year.

133 You should tell us in your period of leave notice(s) whether you intend to claim ESPP or ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

## **14. Other terms during shared parental leave**

141 Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

142 Holiday entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that is not taken before starting your leave can be carried over and must be taken within the holiday year in which you return.

143 If you are a member of the pension scheme, we will make employer pension contributions

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during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the Head of Finance that you wish to make up any shortfall.

## **15. Keeping in touch**

151 We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

152 You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during maternity leave. KIT days are not compulsory and must be discussed and agreed with your line manager.

153 You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any shared parental pay entitlement.

154 KIT days must be logged on the HR System.

## **16. Returning to work**

161 If you want to end a period of SPL early, you must give us eight weeks' written notice of the new return date. If have already given us three period of leave notices, you will not be able to end your SPL early without our agreement.

162 If you want to extend your SPL, assuming you still have unused SPL entitlement remaining, you must give us a written period of leave notice at least eight weeks before the date you were due to return to work. If you have already given us three period of leave notices, you will not be able to extend your SPL without our agreement. You may instead be able to request annual leave or ordinary parental leave (see our Parental Leave Policy), subject to the needs of the business.

163 You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

- (a) if your SPL and any maternity or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- (b) if you took SPL consecutively with more than four weeks of ordinary parental leave.

164 If you want to change your hours or other working arrangements on return from SPL you should discuss with your manager. It is helpful if such requests are made as early as possible. Please refer to the Flexible Working Policy for details of the process.

## **17. Protection from Redundancy**

17.1 An employee who is on shared parental leave and who is at risk of redundancy is legally entitled to be offered a suitable alternative vacancy where one exists before it is offered to  
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other employees (including those who are also at risk of redundancy).

172 For employees who are on shared parental leave, and who have not taken maternity or adoption leave, this additional protection lasts until either:

- The end of the shared parental leave, where this is less than six weeks in duration; or
- 18 months from the date of the child's birth, where this is more than six weeks in duration.

173 The alternative role should in all cases be offered before the end of the original contract and begin the day immediately following the day on which their original contract comes to an end. The new post must be suitable and appropriate for the employee in the circumstances and the new contractual provisions must not be substantially less favourable than those of the previous contract.

## **18. Ending Employment**

181 If you decide you do not want to return to work you should give notice of resignation in accordance with your contract. This will have an impact on your entitlement to company shared parental pay (see paragraph 13).

182 Your employment will end once your notice period comes to an end.

183 There is no requirement to repay any ESPP if you resign during or after your shared parental leave.

184 The Trust will pay the appropriate ESPP until the last day of employment. After this date, if you are entitled to any remaining ShPP, this will be paid as a lump sum in your final payslip, plus any outstanding annual leave.

## **19. Support**

191 Your line manager and/or the HR Manager is available to you for support and information.

192 Our Employee Assistance Programme is an independent and confidential source of additional support for you.

## Bumblebee Conservation Trust - Shared parental leave (adoption) policy

### 1. About this policy

- 1.1 This policy outlines the arrangements for shared parental leave and pay in relation to the adoption of a child. If you or your partner are pregnant or have given birth, please see the Shared Parental Leave (Birth) Policy instead.
- 1.2 This policy applies to employees. It does not apply to agency workers or self-employed contractors.
- 1.3 This policy does not form part of any employee's contract of employment and we may amend it at any time.

### 2. Frequently used terms

- 2.1 The definitions in this paragraph apply in this policy.

**Partner:** your spouse, civil partner or someone living with you in an enduring family relationship at the time the child is placed for adoption, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

**Qualifying Week:** the week the adoption agency notifies you that you have been matched with a child for adoption.

**ESPP:** Enhanced Shared Parental Pay

**SbPP:** Statutory Shared Parental Pay

### 3. What is shared parental leave?

- 3.1 Shared parental leave (**SPL**) is a form of leave that gives you and your partner more flexibility in how to share the care of your child in the first year after placed with your family rather than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you, and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

### 4. Entitlement

- 4.1 To be eligible for Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP), both adoptive parents or both parents using a surrogate must share responsibility for the child from:
- the child's due date or birth date if you're using a surrogate
  - the date the child is placed with you, if you're adopting or fostering to adopt
- 4.2 Both parents must also meet the work and earnings criteria. The criteria are different depending on which one of you wants to use the shared parental leave and pay

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(a) If both parents want to share the SPL and ShPP

- Both parents must meet the same eligibility criteria.
- To be eligible for SPL and ShPP, you must stay with the same employer until you start your SPL. You must be employed continuously by them for at least 26 weeks, by either:
  - the end of the week you or your partner are matched with a child if you're adopting
  - the end of the 15th week before the due date if you're using a surrogate
- To be eligible for SPL, you must be 'employees' (not 'workers')
- To be eligible for ShPP, you must each earn on average at least £123 a week.

(b) If only one of the parents wants to take the SPL and ShPP

- Both parents must meet some eligibility criteria.

**Criteria for the parent taking SPL and ShPP**

- The parent who wants to take the leave and pay must stay with the same employer until they start their SPL.
- They must also have been employed continuously by the same employer for at least 26 weeks, by either:
  - the end of the week you or your partner are matched with a child if you're adopting
  - the end of the 15th week before the due date if you're using a surrogate
- To be eligible for SPL, they must be an 'employee' (not a 'worker')
- To be eligible for ShPP, they must earn on average at least £123 each a week.

### Criteria for the other parent

- The other parent must:
    - have been working for at least 26 weeks out of the 66 weeks before the week the child was placed with you (the 26 weeks do not need to be in a row)
    - have earned at least £390 in total in 13 of the 66 weeks (add up the highest paying weeks - they do not need to be in a row)
    -
- 43 Either you or your partner must qualify for statutory adoption leave and/or SAP and must take at least two weeks of adoption leave and/or pay.
- 44 If your partner is taking adoption leave and/or claiming SAP, you may be entitled to two weeks' paternity leave and pay (see our Paternity Leave Policy). You should consider using this before taking SPL. Paternity leave is additional to any SPL entitlement you may have, but you will lose any untaken paternity leave entitlement once you start a period of SPL.
- 45 The total amount of SPL available is 52 weeks, less the weeks of adoption leave taken by either you or partner (or the weeks in which your partner has been in receipt of SAP if they were not entitled to adoption leave).
- 5. Opting in to shared parental leave and pay**
- 5.1 Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice which includes:
- (a) your name and your partner's name;
  - (b) if you are taking adoption leave, your adoption leave start and end dates;
  - (c) if you are not taking adoption leave, your partner's adoption leave start and end dates, or if your partner is not entitled to adoption leave, the start and end dates of their SAP;
  - (d) the total SPL available, which is 52 weeks minus the number of weeks' adoption leave or SAP taken or to be taken by you or your partner;
  - (e) how many weeks of the available SPL will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
  - (f) if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of SAP taken or to be taken);
  - (g) how many weeks of the available ShPP will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);

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- (h) an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave (see paragraph 9 and paragraph 10 for information on taking leave). This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
- (i) declarations by you and your partner that you both meet the statutory conditions to enable you to take SPL and ShPP.

## **6. Ending your adoption leave**

- 61 If you are taking or intend to take adoption leave and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your adoption leave (a curtailment notice). The notice must state the date your adoption leave will end. You can give the notice before or after adoption leave starts, but you must take at least two weeks' adoption leave.
- 62 You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme (see paragraph 5) or a written declaration that your partner has given their employer an opt-in notice and that you have given the necessary declarations in that notice.
- 63 If your partner is eligible to take SPL from their employer they cannot start it until you have given us your curtailment notice.
- 64 The curtailment notice is binding on you and cannot usually be revoked. You can only revoke a curtailment notice if your adoption leave has not yet ended and one of the following applies:
- (a) if you realise that neither you nor your partner are in fact eligible for SPL or ShPP, in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;
  - (b) if your partner has died.
- 65 Once you have revoked a curtailment notice you will be unable to opt back in to the SPL scheme.

## **7. Ending your partner's adoption leave or pay**

- 7.1 If your partner is taking adoption leave or claiming SAP from their employer, you will only be able to take SPL once your partner has either:
- (a) returned to work;
  - (b) given their employer a curtailment notice to end adoption leave; or
  - (c) given their employer a curtailment notice to end SAP (if they are entitled to SAP but not adoption leave).

## **8. Evidence of entitlement**

You must provide on request:

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- (a) One or more documents from the adoption agency showing the agency's name and address and the expected placement date; and
- (b) The name and address of your partner's employer (or a declaration that they have no employer).

## **9. Booking your SPL dates**

- 9.1 Having opted into the SPL system, you must book your leave by giving us a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.
- 9.2 The period of leave notice can either give the dates you want to take SPL or, if the child has not been placed with you yet, it can state the number of days after the placement that you want the SPL to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of placement and wish to take SPL straight afterwards.
- 9.3 Leave must be taken in blocks of at least one week.
- 9.4 If your period of leave notice gives dates for a single continuous block of SPL you will be entitled to take the leave set out in the notice.
- 9.5 If your period of leave notice requests split periods of SPL, with periods of work in between, we will consider your request as set out in paragraph 10, below.
- 9.6 You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice; see paragraph 11). In exceptional circumstances we may allow you to give more than three period of leave notices but there is no obligation for us to do so

## **10. Procedure for requesting split periods of SPL**

- 10.1 In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your line manager and HR in good time before formally submitting your period of leave notice. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.
- 10.2 If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

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- (a) choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
- (b) withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case it will not be counted and you may submit a new one if you choose).

## **11. Changing the dates or cancelling your SPL**

- 11.1 You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.
- 11.2 You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date or the new start date, whichever is earlier.
- 11.3 You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date or the new end date, whichever is earlier.
- 11.4 You can combine discontinuous periods of leave into a single continuous period of leave. Since this will involve a change to the start date or end date of a period of leave, see paragraph 11.2 and paragraph 11.3 above which set out how much notice is required.
- 11.5 You can request that a continuous period of leave be split into two or more discontinuous periods of leave, with periods of work in between. Since this will involve a change to the start date or end date, see paragraph 11.2 and paragraph 11.3 above which set out how much notice is required for the request. We do not have to grant your request but will consider it as set out in paragraph 10.
- 11.6 A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:
- (a) the variation is a result of the child being placed with you earlier or later than the expected placement date;
  - (b) you are cancelling a request for discontinuous leave within two days of the end of the two-week discussion period under paragraph 10.2.
  - (c) the variation is at our request; or
  - (d) we agree otherwise.

## **12. Shared parental pay**

- 12.1 The Trust offers Enhanced Shared Parental Pay (ESPP) which is paid in line with the Enhanced Maternity Pay.
- 12.2 You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SAP claimed by you or your partner) provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and

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your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid at a rate set by the government each year.

- 123 You should tell us in your period of leave notice(s) whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

### **13. Other terms during shared parental leave**

- 131 Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.
- 132 Holiday entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken within the holiday year in which you return.
- 133 If you are a member of the pension scheme, we will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the Head of Finance that you wish to make up any shortfall.

### **14. Keeping in touch**

- 141 We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.
- 142 You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during adoption leave. KIT days are not compulsory and must be discussed and agreed with your line manager.
- 143 You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any shared parental pay entitlement.
- 144 KIT days must be logged on the HR System.

### **15. Returning to work**

- 151 If you want to end a period of SPL early, you must give us eight weeks' written notice of the new return date. If you have already given us three period of leave notices you will not be able to end your SPL early without our agreement.
- 152 If you want to extend your SPL, assuming you still have unused SPL entitlement remaining, you must give us a written notice at least eight weeks before the date you were due to return to work. If you have already given us three period of leave notices you will not be able to extend your SPL without our agreement. You may instead be able to request annual leave or ordinary parental leave (see our Parental Leave Policy), subject to the needs of our business.

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153 You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

- (a) if your SPL and any adoption or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- (b) if you took SPL consecutively with more than four weeks of ordinary parental leave.

193 If you want to change your hours or other working arrangements on return from SPL you should discuss with your manager. It is helpful if such requests are made as early as possible. . Please refer to the Flexible Working Policy for details of the process.

## **20. Protection from Redundancy**

20.1 An employee who is on shared parental leave and who is at risk of redundancy is legally entitled to be offered a suitable alternative vacancy where one exists before it is offered to other employees (including those who are also at risk of redundancy).

202 For employees who are on shared parental leave, and who have not taken maternity or adoption leave, this additional protection lasts until either:

- The end of the shared parental leave, where this is less than six weeks in duration; or
- 18 months from the date of the child's birth, where this is more than six weeks in duration.

203 The alternative role should in all cases be offered before the end of the original contract and begin the day immediately following the day on which their original contract comes to an end. The new post must be suitable and appropriate for the employee in the circumstances and the new contractual provisions must not be substantially less favourable than those of the previous contract.

## **21. Ending Employment**

21.1 If you decide you do not want to return to work you should give notice of resignation in accordance with your contract. This will have an impact on your entitlement to company shared parental pay (see paragraph 13).

212 Your employment will end once your notice period comes to an end.

213 There is no requirement to repay any ESPP if you resign during or after your shared parental leave.

214 The Trust will pay the appropriate ESPP until the last day of employment. After this date, if you are entitled to any remaining ShPP, this will be paid as a lump sum in your final payslip, plus any outstanding annual leave.

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**22. Support**

- 221 Your line manager and/or the HR Manager is available to you for support and information.
- 222 Our Employee Assistance Programme is an independent and confidential source of additional support for you.

## Bumblebee Conservation Trust - Parental leave policy

### 1. About this policy

- 1.1 This policy summarises the statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each child.
- 1.2 This policy only applies to employees and does not apply to agency workers or self-employed contractors.
- 1.3 This policy does not form part of any employee's contract of employment and we may amend it at any time.

### 2. Entitlement to parental leave

- 2.1 To be eligible for parental leave, you must:
  - (a) have at least one year's continuous employment with us;
  - (b) be named on the child's birth certificate or have or expect to have parental responsibility for a child; and
  - (c) be taking the leave to spend time with or otherwise care for the child.
- 2.2 You have responsibility for a child if you are the biological or adoptive parent or have legal parental responsibility in some other way, for example under a court order.
- 3. Being a foster parent does not constitute eligibility unless you have secured parental responsibility through the courts.
- 3.1 Eligible employees are entitled to take up to 18 weeks' parental leave in relation to each child.
- 3.2 You must tell us of any parental leave you have taken while working for another employer as this counts towards your 18-week entitlement.

### 4. Taking parental leave

- 4.1 In most cases, parental leave can only be taken in blocks of a week or a whole number of weeks, and you may not take more than four weeks' parental leave a year in relation to each child. Parental leave can be taken up to the child's 18th birthday.
- 4.2 Special rules apply where your child is disabled, which for these purposes means entitled to a disability living allowance, armed forces independence allowance or personal independence payment. You can take parental leave in respect of that child in blocks of less than one week. However, there is still a limit of 4 weeks a year for each child and 18 weeks in total for each child.

### 5. Notification requirements

- 5.1 You must notify your line manager of your intention to take parental leave at least 21 days in advance. Your notification should include the start and end dates of the

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requested period of leave.

- 5.2 If you wish to start parental leave immediately on the birth of a child, you must give notice at least 21 days before the expected week of childbirth.
- 5.3 If you wish to start parental leave immediately on having a child placed with you for adoption, you should give notice at least 21 days before the expected week of placement, or if this is not possible, give as much notice as you can.
- 5.4 The Parental Leave Request Form can be used for this request.
- 5.5 Approved parental leave dates must be entered as 'Parental (unpaid)' on the HR system.

## **6. Evidence of entitlement**

6.1 We may ask to see evidence of:

- (a) your responsibility or expected responsibility for the child such as birth certificate, adoption or matching certificate, parental responsibility agreement or court order.
- (b) the child's date of birth or date of adoption placement.

## **7. Our right to postpone parental leave**

- 7.1 Although we will try to accommodate your request for parental leave, we may postpone your requested leave where it would seriously disrupt our business (for example, if it would leave us short-staffed or unable to complete work on time).
- 7.2 We will discuss alternative dates with you, and notify you in writing of the reason for postponement and the new start and end dates, within seven days of receiving your request for parental leave.
- 7.3 We cannot postpone parental leave if you have requested it to start immediately on the birth or adoption of a child.
- 7.4 We cannot change the amount of leave being requested.
- 7.5 We cannot postpone parental leave for more than six months, or if it means that you would no longer qualify for parental leave, eg postponing it until after the child's 18th birthday

## **8. Terms and conditions during parental leave**

- 8.1 Parental leave is unpaid. You will not be entitled to employer pension contributions in respect of the period of leave.
- 8.2 Your employment contract will remain in force, and holiday entitlement will continue to accrue. You will remain bound by your duties of good faith and confidentiality, and any contractual restrictions on accepting gifts and benefits, or working for another

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business.

These policies were approved on 13 June 2024 by the following:

Signed by



.....CEO

Signed by



.....Chair of Trustees

**Next review date: June 2027**

Original issue: June 2021

Issue 2: January 2022

Issue 3: December 2022

Issue 4: June 2024

Policy document: Parental Policies

Issue number: 4

Date: June 2024

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