



# Maternity / Paternity/Adoption & Surrogacy Policy

Version 2: July 2020

## SUMMARY

This document sets out the support and guidance Peterlee Town Council have in place for employees during Maternity/Paternity/Adoption and Surrogacy.

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## 1. Introduction

Peterlee Town Council recognises the need to balance family responsibilities with paid work. We recognise the need for adequate maternity provision to provide pregnant employees with peace of mind and to ensure their and the child's health and welfare during the maternity period.

## 2. What is the Policy About?

The Council is committed to ensuring that working parents have a greater choice in balancing work and family life.

This policy provides guidance on the Council's Maternity, Paternity, Adoption and Surrogacy provisions. This includes risk assessment, leave and pay arrangements and provisions for return to work.

## 3. Who Does the Policy Apply to?

This policy covers all employees.

## 4. Maternity, Paternity, Adoption & Surrogacy

Frequently used terms/abbreviations

AML/AAL	Additional maternity/adoption leave - the last 26 weeks of a maximum of 52 weeks maternity/adoption leave
EWC	Expected week of childbirth - the week beginning on a Sunday, in which the doctor or midwife expects your child to be born
KIT Days	Up to a maximum of 10 days during maternity leave where an employee, by mutual agreement with their manager, carries out work or attends work related events, without bringing their maternity leave to an end (paragraphs 63-67)
LEL	Lower Earnings Limit - £151.20 per week tax year 2020-2021. To be entitled to statutory payments (SMP or SAP) the employee must have earnings of not less than the LEL. This is calculated based on the average normal pay prior to the 15th week before the baby's birth date.
MATB1	A form given to a woman by their doctor or midwife after the 20th week of pregnancy that provides medical evidence of pregnancy and shows the expected date of childbirth.
MA	Maternity Allowance – an allowance usually paid to mothers who don't qualify for statutory maternity pay (SMP) A claim form is available at the UK Government website ( <a href="http://www.gov.uk">www.gov.uk</a> ) or Job Centre Plus.

OML/OAL	Ordinary maternity/adoption leave – the first 26 weeks of a maximum of 52 weeks maternity/adoption leave.
Partner	Your spouse, civil partner or someone living with you in an enduring family relationship but who is not a relative of the mother/primary adopter (sibling, child, parent, grandparent, aunt, uncle, niece or nephew)
Primary Adopter	A person who has been matched with a child for adoption and who has elected to be the main carer for the child
Primary Parental Order Parent	A person in a legal surrogacy arrangement who is entitled to and intends to apply for a Parental Order under the Human Embryology and Fertilisation Act 2008, and who has elected to be the main carer for the child.
SMP/SAP	Statutory Maternity/Adoption Pay – a legal entitlement to a certain amount of statutory pay to qualifying employees which lasts for up to 39 weeks. As at 6 April 2020 the statutory SMP/SAP rate is £151.20 per week (paragraphs 14-19) Qualifying week
Qualifying week	The 15th week before the EWC

## 5. Leave Entitlement

All pregnant employees and primary adopters (the parent who has elected to be the main carer of the child, usually the child's adoptive mother) have the right to 52 weeks leave, regardless of the number of hours they work or their length of service. This period of leave is made up of 26 weeks Ordinary Maternity/Adoption Leave (OML/OAL) and 26 weeks Additional Maternity/Adoption Leave (AML/AAL). Where a couple are adopting; only one parent, the primary adopter (main carer), can request adoption leave.

Adoption leave is also available to the primary carer in a legal surrogacy arrangement (primary Parental Order parent) for babies due on or after 5 April 2015 who has applied for, or intends to apply for, a Parental Order in respect of the child under the Human Embryology and Fertilisation Act 2008.

Employees starting maternity or adoption leave may also wish to consider Shared Parental Leave. Further details can be found in the separate policy on Shared Parental Leave.

### 5.1 Maternity

It is up to each employee to choose when to start maternity leave and how long to stay off work, subject to the following restrictions:

Maternity leave can start no earlier than 11 weeks before the Expected Week of Childbirth (EWC), as confirmed by the employee's MATB1 certificate;

An employee cannot return to work during the 2 weeks after giving birth, this is compulsory maternity leave;

If an employee has not started their maternity leave, it can be automatically triggered by either childbirth or pregnancy related absence during the 4 weeks before the EWC.

## **5.2 Adoption and Surrogacy**

Only one person in an adopting or surrogate couple is entitled to take adoption leave. The other partner may be entitled to take paternity leave and/or maternity support leave/shared parental leave if they meet the qualifying criteria (see paragraphs 19 and 20).

Adoption leave can be taken by the primary adopter for any child placed for adoption up to the age of 18 via an official adoption agency; however, only one period of adoption leave can be taken at any time, regardless of the number of children being adopted. Adoption leave is not available in circumstances where the child is not newly placed for adoption i.e. a stepparent adopting a partner's child. Leave can also be taken by the primary parent in a legal surrogacy arrangement.

It is up to each employee to choose when to start adoption leave and how long to stay off work, subject to the following restrictions:

For UK adoptions, adoption leave can start no earlier than 14 days before the date the child is expected to be placed and up to the date the child is placed with the family;

For Overseas adoptions, adoption leave can start when the child arrives in the UK or within 28 days of this date;

For surrogacy arrangements it can start no earlier than 14 days before the expected date of birth of the surrogate child and up to the date the child is born;

An employee cannot return to work during the first 2 weeks of adoption leave.

Dual approved prospective adopters (sometimes referred to as fostering to adopt) may be eligible for adoption leave and pay where they have agreed to have a child placed with them in accordance with section 22C of the Children Act 1989 with a view to them adopting that child.

## **6. Pay Entitlement**

Statutory maternity/adoption pay (SMP/SAP)

The Council pays SMP/SAP to employees on behalf of the Government, where certain qualifying conditions are met. SMP is paid for up to 39 weeks during an employee's maternity or adoption leave as follows:

90% of average weekly earnings for the first 6 weeks;

SMP/SAP minimum rate or 90% of average weekly earnings, whichever is the lower for the following 33 weeks.

As at 6 April 2020 the statutory SMP/SAP rate is £151.20 per week. Details of the current SMP/SAP rate can be found by visiting [www.gov.uk/maternitypay-leave](http://www.gov.uk/maternitypay-leave) or [www.gov.uk/adoption-pay-leave](http://www.gov.uk/adoption-pay-leave).

To qualify for SMP/SAP the employee must have:

Average weekly earnings (before tax and NI) at least equal to the Lower Earnings Limit (£151.20 per week as at 6 April 2020);  
Given the appropriate notice.

In addition the following qualifying conditions apply depending on the particular situation:

### **6.1 Maternity**

26 weeks' continuous service by the 15th week before the EWC;  
Provided proof of pregnancy including EWC (MATB1 certificate).

If an employee does not qualify for SMP then her original MATB1 form will be returned to her along with an SMP1 form which explains why she can't receive SMP within 7 days of the Council making their decision. If an employee does not qualify for SMP, they may qualify for Maternity Allowance (MA) which can be accessed via Job Centre Plus or via a claim form on the UK Government website ([www.gov.uk](http://www.gov.uk)).

### **6.2 Adoption**

26 weeks continuous service by the week the adopter is notified of being matched with a child;  
provided official proof of the date of placement e.g. letter from the adoption agency;  
provided a copy of the matching certificate provided by the adoption agency;  
for overseas adoptions only, provided proof of the date the child arrives in the UK.

### **6.3 Surrogacy**

26 weeks' continuous service by the 15th week before the EWC;  
provided proof of pregnancy including EWC (copy of birth mother's MATB1 certificate);  
the intended parents must have applied for, or intend to apply for, a Parental Order and expect to obtain this;  
provided a copy of the parental order within 6 months of the child's birth;

If requested must provide a 'statutory declaration' (written statement signed in the presence of a legal professional) confirming you have applied or will apply for a parental order in the 6 months after the child's birth.

## **7. Maternity and Surrogacy**

more than one year of continuous service at the start of the 11th week before the Expected Week of Childbirth (EWC).

## **8. Adoption**

more than one year of continuous service by the date notice is given that they are matched with a child.

## **9. Notification requirements**

If the employee does not give the required notification, they lose their right to start maternity/adoption leave on their chosen date. The only exception to this is where it is not reasonably practicable for the employee to give notice any earlier e.g. if the baby is born much earlier than expected.

If the employee changes their mind and wishes to change the start date of their leave, they must give 28 days' notice.

Written confirmation of the end date of their maternity/adoption leave will be sent to the employee within 28 days of their notification form being received. It will be assumed that the employee is taking 52 weeks leave unless they have given a different end date in their notification.

### **9.1 Maternity**

Pregnant employees are advised to notify their manager of their pregnancy as soon as possible, however, as a minimum employees are asked to notify their manager, in writing, no later than 28 days before they want to commence their maternity leave. This form includes the following information:

Confirmation of the pregnancy and the EWC. This is usually via a MAT B1 certificate;  
The date they wish to commence maternity leave.

As soon as is practicable after the birth, the employee should notify their manager of the baby's date of birth in writing.

If maternity leave is triggered by the birth of the child or pregnancy related absence during the 4 weeks prior to the EWC the maternity leave will start on the day following the first day of sickness absence or the day of childbirth. The employee must inform their manager of the date of birth as soon as reasonably practicable and any absence should be reported to their manager in line with the sickness reporting procedures.

## **9.2 Adoption**

The primary adopter should advise their manager as soon as possible; however, as a minimum, employees should notify their manager, in writing, within 7 days of being told that they have been matched with a child, which includes the following information:

Confirmation of the adoption i.e. through the provision of a matching certificate;  
The date the child is to be placed with the employee;  
The date they wish to commence adoption leave.

## **9.3 Surrogacy**

The primary surrogate parent is advised to notify their manager of the surrogate's pregnancy as soon as possible, however, as a minimum, employees are asked to notify their manager, in writing, no later than 28 days before they want to commence their adoption leave. This form includes the following information:

- Confirmation of the birth mother's pregnancy and the EWC. This is usually via a copy of the birth mother's MATB1 certificate;
- The date they wish to commence adoption leave.

A Parental Order parent is also required to provide a copy of the Parental Order within 6 months of the adoption leave/pay commencing. The Council reserve the right to reclaim any payment made and to be compensated for leave taken, if the employee fails to provide a copy of the Parental Order within 6 months of the start of the adoption leave/pay.

Adoption leave would be triggered for parents in a surrogacy arrangement if the child was born earlier than the adoption leave start date.

As soon as is practicable after the birth, the employee should notify their manager of the baby's date of birth in writing.

## **10. Other Time Off**

This section details entitlement to time off for pregnant employees, primary adopters, and primary parental order parents.

Employees must produce evidence of all appointments if requested to do so.

## **11. Antenatal Care/Appointments**

All pregnant employees, regardless of hours worked, pay or length of service are entitled to reasonable paid time off for antenatal appointments.

Antenatal appointments may include any of the following, provided they have been recommended by a doctor or midwife:

- medical appointments
- parent craft
- relaxation classes

All time off will be paid at the employee's normal hourly rate of pay. Where an employee does not have normal working hours, the rate of pay during any time off should be the average rate in the last 12 complete weeks prior to the time off.

## **12. Pre-adoption Leave**

The primary adopter is entitled to paid time off to attend up to 5 pre-adoption appointments after they have been matched with a child.

A maximum of up to 6.5 hours is allowed per appointment.

## **13. Pre-surrogacy Leave**

Employees in a legal surrogacy arrangement have the right to unpaid time off to attend 2 antenatal appointments with the surrogate mother.

A maximum of up to 6.5 hours is allowed per appointment.

## **14. Sickness**

If an employee has not started their maternity leave, it can be automatically triggered by a pregnancy related absence during the 4 weeks before the EWC, however, before this time, a pregnancy related absence would not automatically trigger maternity leave to

start. Occupational sick pay or SSP may still be allowable during the 4 weeks before the EWC if the absence is due to anything other than a pregnancy related condition.

Employees who are sick during their maternity/adoption leave period are not entitled to sick pay as they will be receiving SMP/SAP, unless they end their maternity leave. Where an employee cannot attend work at the end of their maternity/adoption leave due to sickness, the normal contractual arrangements for sickness absence will apply.

## **15. Risk assessments**

The Council's responsibility for the health and safety of our employees comes into sharp focus when considering the requirements for an expectant or new mother and therefore it is important that the manager carries out a formal risk assessment for an employee when she declares her pregnancy. A New and Expectant Mothers Risk Assessment form is attached.

The risk assessment should be reviewed on a regular basis throughout the pregnancy and upon her return to work to ensure the operating environment is considered. Where risks that may adversely affect the health and safety of the employee or their baby are identified, the manager should consider temporary adjustments to the employee's working conditions and/or hours or offer suitable alternative work, if available.

The employee's normal rate of pay continues during any period of adjustment. Managers should be aware that if adjustments are not deemed to be feasible, the employee is entitled to paid leave for as long as necessary to protect her and/or the child's health and safety.

The following are examples of the type of risks that can arise in the workplace:

For pregnant women or women who have had a caesarean section, lifting heavy items can lead to injury therefore the amount of physical work should be reduced, or suitable aids supplied

Physical fatigue from standing or poor posture position for long periods of times can lead to miscarriage, premature birth and low birth weight. Potential remedies include avoiding excessive volume and hours of work, seating being made available, longer rest breaks or workstations being adjusted

Work involving substantial vibration or movement may lead to miscarriage, therefore tasks should be avoided if they risk whole body vibration or jolts to the abdomen  
Exposure to radiation, chemical and biological agents, lead, infectious diseases, work related stress or extremes of cold and heat should also be avoided.

The following table gives some examples of the aspects of pregnancy that may lead to changes in the work environment:

<b>Aspect of Pregnancy</b>	<b>Work Factor to Consider</b>
Morning sickness	Early shift work, exposure to nauseating smells
Backache	Standing, manual handling, posture
Varicose veins	Standing, manual handling, posture
Haemorrhoids	Working in hot conditions
Frequent visits to toilets	Difficulty in leaving work area
Increasing size	Use of protective clothing, work in confined spaces, manual handling, speed of movement and reach
Tiredness	Overtime, evening work
Balance	Working on uneven, wet or slippery surfaces

## **16. Breastfeeding**

Should you be continuing to breastfeed your child when you return to work, you should notify your Manager in writing prior to your return. A risk assessment can then be carried out, prior to your return to work.

The Council has limited suitable rest facilities for breastfeeding mothers. However, employees are not entitled to take time off to breastfeed.

Employees should arrange for childcare close to work, and/or enable breastfeeding to take place before and after work. The Council does not provide facilities for breastfeeding employees to express and store milk.

## **17. Special Circumstances**

### **17.1 Premature Births**

If an employee has their baby prematurely, the Council will consider each case on an individual basis as to what assistance may be relevant. For example, it may be appropriate to extend the maternity leave arrangements.

### **17.2 Stillbirth and Miscarriage**

In the unfortunate event that the baby is stillborn or lost through miscarriage after 24 weeks, the employee is entitled to take maternity leave.

Where a miscarriage or termination takes place before 24 weeks the Council will give sympathetic consideration to the individual circumstances. Where necessary, sick leave or other leave may be appropriate, depending on the needs of the employee and any medical opinion.

### **17.3 Adoption Placement Ends**

Adoption leave will end where the adoption placement does not take place or breaks down or where the child dies. The adoption leave will end 8 weeks after such an event.

### **17.4 Parental Order is Refused**

Where the intended parents' application for a Parental Order is refused by the court, the employee's entitlement to adoption leave will end 8 weeks later or at the end of the adoption leave, whichever is earlier.

For surrogacy arrangements the Council reserves the right to reclaim any payment made and to be compensated for leave taken, if the employee fails to provide a copy of the Parental Order within 6 months of the adoption leave/pay commencing.

## **18. Keeping in Touch (KIT) Days**

All employees on maternity or adoption leave can participate in up to 10 KIT days where an employee can work without bringing their leave to an end. KIT days are not limited to the employee's normal job and can include attending training events, appraisals, meetings, as well as enabling an employee to return to work gradually at the end of their leave.

Any KIT days must be mutually agreed, therefore just as an employer cannot insist that work is carried out during a maternity or adoption leave period, an employee cannot insist on working during the period.

Working any part of a day will count as one full day for the purpose of calculating the number of KIT days taken or pay received. The employee's normal rate of pay offset against any SMP or SAP received will be paid for such days. Payment per day will be based on the number of days in the month the KIT day is worked i.e. 1/28th, 1/29th, 1/30th or 1/31st of the person's monthly full-time equivalent salary.

Payment arrangements should be discussed and clearly understood and agreed before any work is undertaken and efforts should be made to ensure both the employee and manager are fully aware of the work to be carried out on the day.

Where an employee has multiple posts within the Council only 10 KIT days can be taken in total as they are allocated per person, not per job. In addition, in the case of employees on maternity leave, KIT days cannot be taken during the first two weeks following the birth.

### **19. Returning to Work Following Maternity/Adoption Leave**

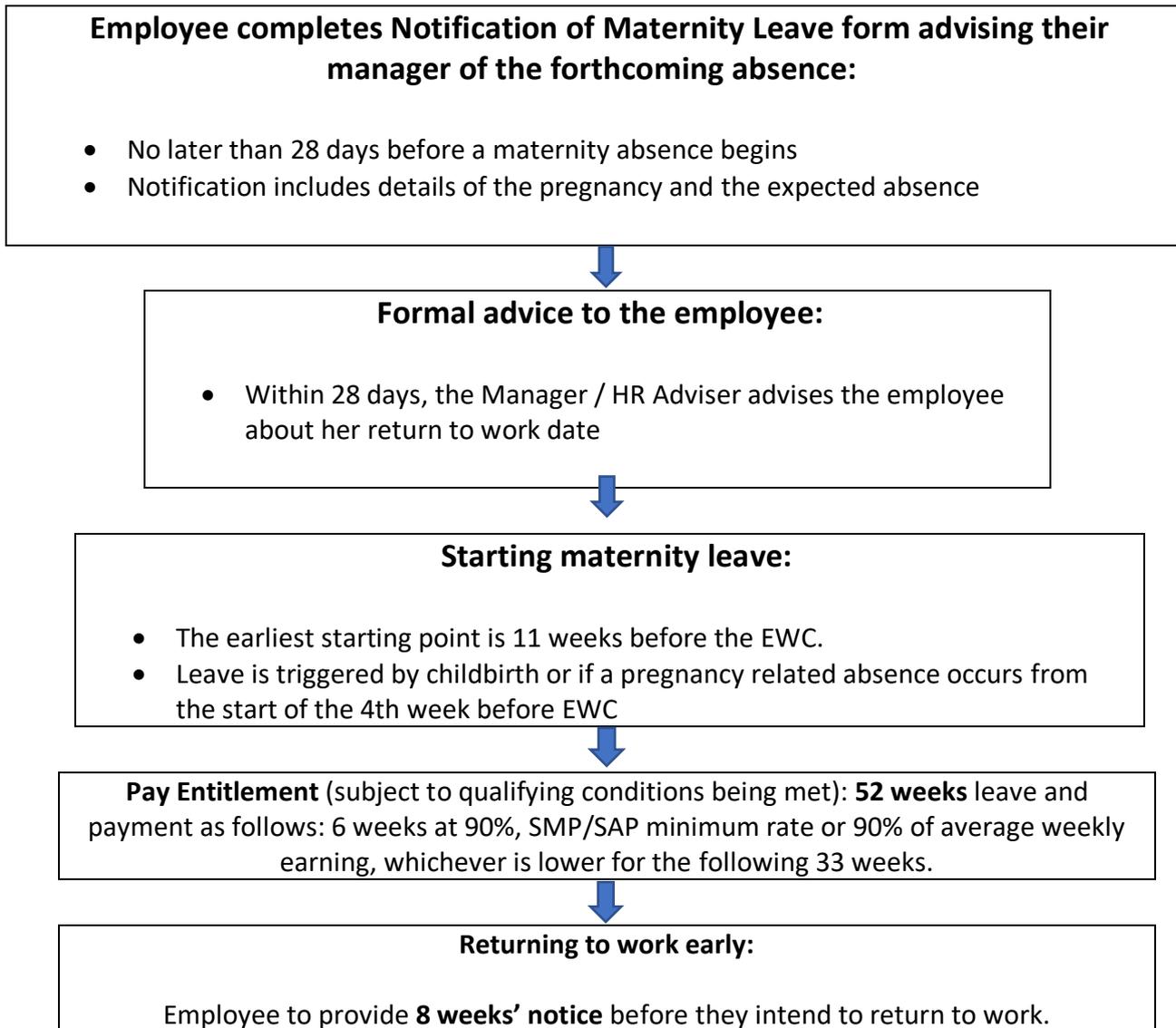
It will be assumed that an employee will take their full 52 weeks of maternity or adoption entitlement and will return to work at the end of their AML/AAL, unless they have stated otherwise on their notification form. If the employee intends to return to work sooner than this, they must notify their manager at least 8 weeks before the date they intend to return. If less than 8 weeks' notice is given, the Council can postpone the return to ensure there is 8 weeks' notice, although any postponement cannot go beyond the end of the 52-week maternity or adoption leave period.

If the employee does not want to return to work after their maternity/adoption leave, they are required to give the Council notice in line with their contract of employment.

The manager should ensure they meet with the employee either prior to their return or immediately upon their return to aid their smooth return to the workplace and discuss any particular needs or wishes they may have e.g. changes to the working environment to assist with breastfeeding (see above).

## 20. Maternity Leave Flowchart/Timeline

This timeline provides a helpful summary of the main times to be aware of where a maternity situation occurs within the workplace.



## 21. Adoption /Surrogacy flowchart/ timeline

This timeline provides a helpful summary of the main times to be aware of where an adoption situation occurs within the workplace.

### Employee completes Notification of Adoption Leave form advising their manager of the forthcoming absence:

- No later than 7 days after being notified of being matched with a child or for surrogacy, within 28 days before adoption absence begins.
- Notification includes details of the adoption matching certificate and expected absence



### Formal advice to the employee:

- Within 28 days, the Manager/HR Adviser advises the employee about her return to work date



### Starting Adoption leave:

- For adoption, on the date the child is placed or another predetermined date which should be no more than 14 days before the date the child is expected to be placed ☒
- For surrogacy, on the date the child is born or no earlier than 14 days before the birth



**Pay Entitlement** (subject to qualifying conditions being met): **52 weeks** leave and payment as follows: 6 weeks at 90%, SMP/SAP minimum rate or 90% of average weekly earning, whichever is lower for the following 33 weeks.



### Returning to work early:

Employee to provide **8 weeks' notice** before they intend to return to work.

## **22. Paternity Leave Policy Introduction**

Peterlee Town Council recognises that employees may wish to take time off work to support the mother of a baby or look after the baby.

## **23. Who Does the Policy Apply to?**

The policy applies to all Peterlee Town Council employees.

## **24. Authority**

The Town Clerk is accountable for the proper application of the Paternity Leave Scheme.

## **25. Legal Framework**

These provisions take account of the framework of statutory rights as set out in the Employment Rights Act 1996, as amended by the Employment Relations Act 1999 and the Employment Act 2002. The details of these rights are set out in supporting regulations: The Paternity and Adoption Leave Regulations 2002, as amended by the Paternity and Adoption Leave (Amendment) Regulations 2006, The Children and Families Act 2014 and The Paternity and Adoption Leave (Amendment) (no 2) Regulations 2014.

## **26. Provisions**

The Council provides one type of paternity leave, Ordinary Paternity Leave

## **27. Ordinary Paternity Leave**

To be eligible for Ordinary Paternity Leave an employee must:

- Have, or expect to have responsibility for the child's upbringing;
- Be the biological father of the child or the mother's husband or partner;
- Have worked continuously for the Council for 26 weeks leading into the 15th week before the baby is due and be employed continuously during the pregnancy up to the actual date the baby is born.

Employees may choose to take leave (as outlined below) any time up to 8 weeks after the date of birth. The leave is based on the employee's normal working week, pro rata for part time employees. one or two whole weeks

## **28. Process**

Employees must complete the Application for Ordinary Paternity Leave Form (Appendix 1), arrange for it to be authorised by their line manager and return it to: Finance Section by the 15th week before the Expected Week of Childbirth (EWC). The Line Manager will confirm authorisation of leave.

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 running from the Sunday of the week the baby was originally due.

Where the employee has chosen to start his/her leave on the date the child is born and he/she is at work on this date, his/her leave will begin on the following day.

The employee must notify the Line Manager of the date the child was born, as soon as is reasonably practicable.

The employee may change the proposed date providing he/she gives 28 days' notice.

## **29. Payment**

Employees will receive Statutory Paternity Pay for each week of their Paternity Leave. This will be the lower of 90% of average weekly earnings or the current SPP rate. The employee must have average weekly earnings which are no less than the current National Insurance lower earnings limit in the 8 weeks prior to the qualifying week.

## **30. Shared Parental Leave**

Shared Parental Leave (SPL) is a new legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 5 April 2015. It provides both parents with the opportunity to consider the best arrangement to care for their child during the child's first year. The amount of leave available is calculated using the mother's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement, then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

More details on shared parental leave can be obtained by reading the Shared Parental Leave Policy.

## **31. Time Off for Ante-Natal Appointments**

An expectant father or partner of a pregnant woman is entitled to take unpaid time off work to accompany the woman to up to 2 of her ante-natal appointments.

Employees and qualifying Agency Workers (workers are required to have been doing the same kind of job for the Council for at least 12 weeks) are entitled to time off to accompany an expectant mother to her ante-natal appointments if they are:

- The baby's father
- The expectant mother's spouse, her civil partner, or partner (of either sex) in an enduring relationship; or
- Intended parents of a child in a surrogacy arrangement if they expect to be entitled to and intend to apply for a parental order in respect of that child.

Employees are entitled to unpaid leave for 1 or 2 appointments. The time off is capped at 6.5 hours for each appointment.

The employee is not required to provide evidence of such appointments, as they are considered the property of the expectant mother attending the appointment. However, the employee should complete the attached declaration (Appendix 2) stating the date and time of the appointment, that they qualify for the unpaid time through their relationship with the mother or child and that the time off is for the purpose of attending the ante-natal appointment.

There is no qualifying period for employees – they are entitled to receive this entitlement from day one, providing they meet the qualifying criteria.

### **32. Contractual Benefits**

You are entitled to the benefit of your normal terms and conditions of employment, except for terms relating to wages or salary throughout your paternity leave. You may however be entitled to SPP for this period.

You will continue to remain bound by any obligations arising under your contract of employment.

### **33. Return to Work After Paternity Leave**

You are entitled to return to the same job following no more than two weeks' paternity leave. If, however, you take two or more consecutive periods of statutory leave (which could include additional adoption leave or parental leave of more than four weeks), you will be entitled to return to the job in which you were employed before your absence or, if that is not reasonably practicable for the Council, then to return to another job which is both suitable and appropriate in the circumstances.

You have the right to return:

- with your seniority, and similar rights
- on terms and conditions not less favourable than those which would have applied if you had not been absent.
- You will not be subject to any detriment by the Council because you took or sought to take paternity leave.

**PETERLEE TOWN COUNCIL**  
**Application for Ordinary Paternity Leave**

Part A to be completed by the member of staff - Please complete the form in BLOCK CAPITALS.

Title: Mr / Mrs / Miss / Ms	
First Name	
Surname	
Job Title	
Department/Section	
Home Address	
Tel Number (Work)	
Tel Number (Home)	Mobile:

I wish to inform you that I intend to take Ordinary Paternity Leave as follows:

Expected date paternity leave period to commence\* \_\_\_\_\_

Expected return to work date \*\* \_\_\_\_\_

Partner's Expected Week of Childbirth (EWC) or expected date of placement for adoption:

\*Your paternity leave cannot begin prior to the baby's birth/date of placement for adoption, but you can state that you wish your paternity leave to start on the day your child is born.

\*\*Ordinary paternity leave must be taken in blocks of either one or two weeks

**I declare that I:**

- am the baby's biological father / married to the mother / living with the mother in an enduring family relationship, but am not an immediate relative (please delete as applicable)
- will have responsibility for the child's upbringing
- will take time off work to support the mother or care for the child.
- have provided a copy of my partner's MAT B1/matching certificate with this form

**Signed:**

**Date:**

PTO

Please ensure you have discussed this application with your Line Manager and provided them with a copy of this form.

This form must be returned to the Corporate Services Department 15 weeks before your baby's due date, or within 7 days of receiving a matching certificate for adoption.

**Section to be completed by Line Manager**

Approved by: Manager Signature:

Date:

Employee informed of approval by:

Date:

PETERLEE TOWN COUNCIL

Request for time off to accompany a pregnant woman at an antenatal appointment

Title: Mr / Mrs / Miss / Ms	
First Name	
Surname	
Job Title	
Department/Section	
Home Address	
Tel Number (Work)	
Tel Number (Home)	Mobile:

Date of appointment: ..... Time of appointment: .....

**I have the following relationship with the pregnant woman I am accompanying to an antenatal appointment or her expected child (please tick as appropriate)**

- I am the husband/Civil partner
- I live with the pregnant woman in an enduring family relationship
- I am the father of the expected child
- I am the intended parent in a surrogacy situation

**Section B:** I declare the following to be true (please tick each box)

- My purpose in taking time off is to accompany the above pregnant woman at an antenatal appointment
- The ante-natal appointment has been made on the advice of a medical practitioner, midwife or nurse

Employee Signature:

Date:

**Section to be completed by Line Manager**

Approved by (Manager Signature)

Date:

Employee informed of approval by:

Date:

**Risk Assessment for New and Expectant Mothers**

<b>Name of New/Expectant Mother:</b>	<b>Department, Division:</b>	<b>Location:</b>
<b>Job Title:</b>	<b>Details of work activities:</b>	
<b>Date of initial assessment:</b>	<b>Review 1 (between 14 &amp; 26 weeks):</b>	<b>Assessment carried out by:</b>
<b>Review 2 (after 27 weeks):</b>	<b>Return to work review:</b>	

Review the Hazard Profile for the Worker Type (job title above) and consider whether the controls in place are adequate to protect new & expectant mothers. Work through the table below, which highlights some particular risks to consider.

**NB in all cases where it is not possible to adequately reduce risks by making changes to the working conditions or hours of a new or expectant mother, she must be suspended from work on full pay for as long as necessary to protect her health & safety and that of her baby.**

<p><b>Has the new or expectant mother’s Doctor or Midwife identified any health issues that may affect her work? If yes, please detail below.</b></p>
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THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
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### PHYSICAL RISKS

#### Movement and Posture

<b>How will you reduce the risks to a new &amp; expectant mothers due to standing or sitting for long periods of time? e.g. dizziness/faintness/fatigue/thrombosis/embolism</b>	Allow regular rest breaks		
	Allow changes in activities, ie. alternating between standing and sitting		
	Adjust workstation		
	Arrange alternative work		
<b>What adjustments can you make to the New &amp; expectant mothers workstation to take into account of increased size?</b>	Redesign layout of office/workstation to allow sufficient room		

#### Manual Handling

<b>How will you eliminate the need for the new/expectant mother to carry out manual handling tasks with risk of injury?</b>	Review Manual Handling Assessments		
	Provide lifting/handling equipment		
	Eliminate the need for MH – allocate tasks to others		
	Arrange alternative work		

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<b>Working at Heights</b>			
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<b>How will you eliminate the need for the new/expectant mother to work at heights e.g. ladders, MEWPS?</b>	Eliminate the need to work at height – allocate jobs to others		
	Arrange alternative work		

<b>Extremes of Heat/Cold</b>			
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<b>What will you do to control any exposure to extremes of temperature?</b>	Ensure sufficient rest/refreshment breaks are possible		
	Ensure there is an unrestricted supply of drinking water		
	Arrange alternative work		

<b>RISK OF INFECTION</b>			
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	Many biological agents can affect the unborn child during pregnancy or pass from mother to child during childbirth or breastfeeding.		
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<b>How will any risk of infection be eliminated? e.g. Hepatitis B, HIV, Herpes, Syphilis, Chickenpox, Typhoid, Rubella (German measles) &amp; Toxoplasma</b>	Review Infection Control Risk Assessment		
	Additional hygiene controls		
	Arrange alternative work		

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<b>CHEMICAL AGENTS</b>			
<b>Hazardous Substances</b>	A number of substances have hazardous properties indicated by Risk Phrases (cancer risk, genetic risks, harm to the unborn child etc.)		
<b>How will you eliminate the risk from exposure to substances hazardous to health?</b> Those labelled R40 (limited evidence of carcinogenic effect), R45 (may cause cancer), R46 (may cause heritable genetic damage), R49 (may cause cancer by inhalation), R61 (may cause harm to the unborn child), R64 (may cause harm to breastfed babies) & R68 (possible risk of irreversible effects) e.g. mercury; lead; carbon monoxide, and those listed 'Sk' – absorbed through the skin.	Review COSHH assessments		
	Eliminate risk by substituting substances		
	Arrange alternative work		
	<b>Once pregnancy is confirmed, women must be suspended from the work that exposes them significantly to lead.</b> The ACOP Control of Lead at Work sets out exposure limits for women of reproductive capacity, to prevent harm to a foetus before a pregnancy is confirmed.		

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WORKING CONDITIONS			
<b>Facilities</b>			
<b>What facilities are there for new &amp; expectant mothers to rest?</b>	Somewhere for new & expectant mothers to sit or lie down		
	Adequate access to drinking water		
	Some flexibility in frequency & timings of breaks		
<b>How will you provide adequate hygiene facilities for new &amp; expectant mothers?</b>	Easy access to toilets (& associated hygiene facilities)		
	Facilities for breastfeeding mothers to express & safely store milk		
<b>Working hours</b>			
<b>How will the risk to new/expectant mothers from working long hours or night shifts be controlled?</b>	Rearrange shift patterns		
	Shorter shifts		
	Arrange alternative work		
	<b>If a medical certificate is received from the employee's doctor/midwife stating night work is affecting her H&amp;S or that of her unborn child, alternative day work must be organised.</b>		

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<b>Lone Working</b>	Pregnant women are more likely to need urgent medical attention.		
<b>How will lone working be eliminated for the expectant mother?</b>	Review Lone Working Risk Assessment		
	Arrange alternative work		
<b>Violence &amp; Aggression</b>			
<b>How will any risk of violence or aggression at work be eliminated?</b>	Review Personal Safety Risk Assessment		
	If the risk of violence cannot be <b>Significantly</b> reduced, new or expectant mothers should be offered suitable alternative work		
<b>Work Equipment</b>	Some work equipment may be uncomfortable or unsafe for use e.g. where mobility, dexterity or co-ordination is impeded by pregnancy		
<b>Have you considered any potential problems with the new/expectant mother's use of work equipment?</b>	Review your work Equipment Risk Assessments, taking into account changes in risks as pregnancy progresses		
	Arrange alternative work		

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Other Hazards			
Please indicate which other hazards are applicable and how they are controlled	Significant exposure to noise		
	Shocks/vibration		
	Radiation (ionising or non-ionising)		
	Occupational Stress		
	Passive smoking		
	Personal Protective Equipment (suitability)		
	Travelling for work		
	Other (please list)		

**ACTION PLAN**

Summary of steps to be taken, if any, as a result of this risk assessment, to reduce level of risk for the mother, foetus or baby  
(continue on a separate sheet if required)

Ref.	Action	Responsibility	Completion Date

Have the controls implemented, reduced the risk to an acceptable level? (please indicate)

If 'no', please seek further advice from the departmental H&S function or the Corporate H&S unit.

Action plan completed by:

Position:

Date:

