

Family Friendly Policies Booklet

**This booklet provides information on what is commonly termed
“Family Friendly Policies”.**

It provides guidance on:

- a. Statutory provisions, in other words the regulations as a result of legislation
and
- b. Contractual provisions, in other words arrangements which are specific to terms and conditions of employment.

Family Friendly Policies

Maternity leave and pay
Adoption leave and pay
Paternity leave and pay
Shared parental leave and pay
Ordinary parental leave

You may also be interested in PBNI’s

Career Break Policy
Flexible Working Policy and Procedure
Special Leave Guidance

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Section 1

Maternity Leave and Pay

Probation Grade Staff

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Section 1a Introduction

1. The following provisions are effective from 1 October 2006 as provided for under the Work and Families (NI) Order 2006, the Maternity and Parental Leave etc Regulations 2006 and the Statutory Maternity Pay, Social Security (Maternity Allowance); and Social Security (Overlapping Benefits) [Amendment] Regulations 2006.
2. This guidance is about the statutory and occupational entitlement to maternity leave and pay. Maternity rights apply to childbirth. Childbirth is defined as:
 - The birth of a living child
 - The birth of a child, whether living or not, after 24 weeks of pregnancy.
3. The introduction of the new statutory right to shared parental leave and pay does not affect the current arrangements around both statutory and occupational maternity leave and pay.
4. The statutory maternity regulations apply to all pregnant employees, regardless of length of service and the number of hours worked per week. All employees ie those working under a contract of employment, are entitled to a maximum of 52 weeks statutory maternity leave or as much of that leave they wish to take.
5. The 52 weeks statutory maternity leave applies regardless of the number of children resulting from a single pregnancy.
6. Employees who meet the eligibility criteria will also be entitled to statutory maternity pay (SMP). SMP is paid for up to 39 weeks. Where SMP is not applicable an employee may obtain maternity allowance from the Social Security Agency.
7. The occupational maternity pay scheme applies only to those who meet the qualifying length of service.
8. An employee may not work for her employer immediately after childbirth. This period of compulsory maternity leave lasts for two weeks from the date of the child's birth.

Section 1b Antenatal Care

1. Any pregnant employee has the right to paid time off to attend for antenatal care and must produce evidence of appointments if requested by the Board.
2. From 5 April 2015, fathers and partners, including same sex, of a pregnant woman now have the right to take unpaid time off work to accompany expectant mothers to up to 2 antenatal appointments.
3. The time off is capped at 6½ hours for each appointment and there is no qualifying period before employees can take up the new rights.
4. A partner includes the spouse or civil partner of the pregnant woman and a person of either sex, in a long-term relationship with her. The right applies whether the child is conceived naturally or through donor insemination.

5. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for, and intend to apply for a Parental Order for the child born through that arrangement.

Section 1c Eligibility to Maternity Leave

1. Employees who wish to avail of maternity leave must notify the HR Department of the following:
 - that she is pregnant (to be confirmed by the production of a Maternity Certificate, Mat B1)
 - of the expected week of childbirth (EWC);
 - of the date of the beginning of her absence (the earliest possible date for this is 11 weeks before the EWC).

and

 - Still be pregnant at the start of the 16th week before the expected week of childbirth, or have given birth to a living child before that date.
2. Notice should be given no later than the end of the 15th week before the week the baby is due or as soon as is reasonably practicable.
3. Employees must also complete an “Ordinary Maternity Leave” form (see Appendix 1) and forward this to the HR Department along with a Maternity Certificate, MatB1. A MatB1 is issued by your doctor or midwife at approximately 21-28 weeks in pregnancy.
4. Within 28 days of receiving the Ordinary Maternity Leave form and Mat B1, the HR Department will write to you providing details of ordinary maternity leave and pay arrangements and when this will end.

Section 1d Eligibility to Statutory and Occupational Maternity Pay

1. An employee with less than one year’s continuous service at the 11th week before the expected week of childbirth (EWC) will not be entitled to occupational (contractual) maternity pay. She may however be entitled to statutory maternity pay (SMP).
2. It follows therefore that to qualify for occupational (contractual) maternity pay you must have completed one year’s continuous service at the 11th week before the EWC.
3. To be eligible for statutory maternity pay you must meet certain qualifying conditions, in addition to the requirements for maternity leave set out above
4. To qualify for SMP you must have:
 - 26 weeks’ continuous service by the end of the qualifying week, in other words the 15th week before the EWC

and

- Average earnings in the 8 weeks up to and including the qualifying week of at least equal to the lower earnings limit for National Insurance Contributions.
5. The Ordinary Maternity Leave form contains a declaration that must be completed. This declaration states that you intend to return to work after the birth of your baby and undertake to repay PBNI, any payment made during this period if you fail to return and complete 3 calendar months' service; such payment will exclude any statutory maternity pay (SMP).
 6. Employees who do not qualify for statutory maternity pay (SMP) may claim Maternity Allowance (MA) from the Social Security Agency. See section 1g.

Section 1e Maternity Leave Entitlement

1. All employees regardless of their length of service, or hours worked, are entitled to a maximum of 52 weeks maternity leave or as much of that leave they wish to take.
2. Maternity leave is a single continuous block and is made up of:
 - 26 weeks ordinary maternity leave (OML)
and
 - 26 weeks additional maternity leave (AML)
3. You can choose when to start your maternity leave. This can usually be any date from the beginning of the 11th week before the week the baby is due to up until the birth itself.
4. You may not work for PBNI for 2 weeks immediately after childbirth. This period of compulsory maternity leave lasts for 2 weeks from the date of the child's birth.
5. If childbirth occurs before the date you have notified (or before you have notified any date) the maternity leave period starts automatically on the day after the date of birth. This happens even if the birth takes place before the start of the 11th week before the birth was originally expected.
6. If ordinary maternity leave has not already started it will be triggered if you are absent for a pregnancy related reason from the beginning of the 4th week before the expected week of childbirth. The maternity leave period will begin automatically on the day after the first day of her absence.
7. You can change the date you start your ordinary maternity leave as long as you give 28 days' notice to the HR Department.
8. You can change the dates of your return to work as long as you give 8 weeks' notice to the HR Department.

Section 1f Maternity Pay Entitlement

Occupational Maternity Pay

1. Payment of occupational maternity pay during 26 weeks Ordinary Maternity Leave (OML) is as follows:
 - *First 6 weeks* 9/10ths of a week's pay offset against payments by way of SMP (or Maternity Allowance for employees not eligible for SMP).
 - *Next 12 weeks* half pay plus statutory maternity pay (SMP) at the appropriate statutory level designated (or maternity allowance if the employee is not eligible for SMP) to the extent where the combined payments do not exceed full pay.
 - *Next 8 weeks* SMP entitlement only at the appropriate statutory level designated with effect from April each year (or maternity allowance if the employee is not eligible for SMP).
2. Payment during 26 weeks Additional Maternity Leave (AML) is as follows:
 - *First 13 weeks* SMP entitlement only at the appropriate statutory level designated with effect from April each year (or maternity allowance if the employee is not eligible for SMP).
 - *Final 13 weeks* Unpaid
3. Payment of occupational maternity pay, at the rate of half pay, made by PBNI during Maternity Leave shall only be made on the understanding that the member of staff will return to PBNI employment for a period of at least 3 months. Where the member of staff has not satisfied this requirement, PBNI will ask her to repay any salary at half pay rate for the period of maternity leave (less any SMP to which she is entitled).
4. PBNI has the discretion to waive repayment where there are good reasons why the officer cannot return or it is believed a genuine intention to return cannot be realised because of exceptional circumstances.
5. Repayment shall always be waived if the employee provides medical evidence that she will be unable to return within 52 weeks because her child has a disability and requires continuous attention at home.
6. Payments made to the employee by way of SMP are not refundable and she will still receive these should she leave her employment after the 15th week before the EWC.
7. For employees not intending to return to work, payments shall be the entitlement to SMP only.

Chart showing occupational maternity leave and pay.

Number of Weeks Maternity Leave

| | | | | | |
|-----------------------------------|-------------------|----------|-------------------------------------|--------|----|
| 1 | 6 | 18 | 26 | 39 | 52 |
| 9/10ths of salary | Half Pay plus SMP | SMP only | SMP only | Unpaid | |
| 26 weeks Ordinary Maternity Leave | | | 26 weeks Additional Maternity Leave | | |

Statutory Maternity Pay

1. If you are not entitled to occupational maternity pay you may qualify for statutory maternity pay.
2. Payment during Ordinary Maternity Leave is as follows:
 - *First 6 weeks* SMP paid at 9/10ths of average weekly earnings
 - *Next 20 weeks* SMP entitlement only at the appropriate statutory level designated with effect from April each year
3. Payment during Additional Maternity Leave is as follows:
 - *First 13 weeks* SMP entitlement only at the appropriate statutory level designated with effect from April each year
 - *Final 13 weeks* Unpaid

Chart showing details of statutory maternity leave and statutory maternity pay.

Number of Weeks Maternity Leave

| | | | | | |
|-----------------------------------|----------|----|-------------------------------------|----|--------|
| 1 | 6 | 18 | 26 | 39 | 52 |
| SMP at 9/10ths of salary | SMP only | | SMP only | | Unpaid |
| 26 weeks Ordinary Maternity Leave | | | 26 weeks Additional Maternity Leave | | |

Section 1g Exclusion from Statutory Maternity Pay (SMP)

1. If you do not qualify for SMP you may claim Maternity Allowance from the Social Security Agency.
2. Maternity Allowance is a tax-free benefit payable to women who cannot get SMP from their employer. If you do not qualify for SMP the HR Department will inform you and will issue form SMP1.
3. Information on maternity allowance can be obtained from the Social Security Agency. [Maternity Allowance | nidirect](#)
4. Notification requirements and medical evidence as outlined in Section 1c are still required.
5. Employees who do not qualify for SMP are those who:
 - Have less than 26 weeks' continuous service by the end of the 15th week before the expected week of childbirth (EWC)
 - Have average weekly earnings which are less than the lower earnings limit.
 - By the end of the 15th week before the expected week of childbirth, do not give the employer notice that she will be away from work due to pregnancy

- Do not provide the employer with medical evidence (Mat B1 certificate) of the expected week of childbirth
- Do not tell the employer that the baby had been born and the date the birth was originally expected
- Are in legal custody at the beginning of the maternity pay period.

Section 1h Contact during Maternity Leave

1. Your line manager may make reasonable contact with you from time to time while you are on maternity leave in order, for example, to keep you informed of developments at the workplace or to discuss arrangements for your return to work.
2. What constitutes “reasonable” contact will vary according to the circumstances. You may prefer to keep such contact to a minimum or you may not mind frequent contact.
3. Therefore before maternity leave begins you should discuss arrangements for staying in touch with your line manager.
4. You should also discuss the process for agreeing to work KIT days with your line manager. See Section 1i below.

Section 1i Keeping in Touch Days (KIT days)

1. Under the Maternity and Parental Leave Regulations 10 ‘Keeping in Touch’ (KIT) days are permitted during maternity leave without losing SMP or Maternity Allowance, or bringing the maternity leave to an end as a result.
2. KIT days differ from the reasonable contact mentioned in Section 1h as during KIT days you can actually carry out work.
3. KIT days have no effect on the end date of your maternity leave.
4. For the purposes of KIT arrangements, work means any work done for the employer and may include training or any activity undertaken by you for the purposes of keeping in touch with the workplace. For example, this could be to attend a team meeting, a training event or conference.
5. Any KIT days worked under this provision must be in agreement with you. The employer has no right to demand that any such KIT day is worked, nor have you any right to work a KIT day.
6. KIT days can be worked at any stage during the maternity leave period except during the 2 weeks’ compulsory maternity leave. Although you may work a maximum of 10 KIT days these need not be consecutive days and working part of a day will count as one of the 10 days.
7. In PBNI you may be contacted by the HR Department for the purposes of KIT days that may take place during your maternity leave.

8. You should therefore complete section C of the Ordinary Maternity Leave form (see Appendix 1) confirming whether or not you wish to be contacted during your maternity leave for the purposes of KIT days.

Section 1j Payment of KIT days Worked

1. The payment of contractual maternity pay or SMP is not affected by working any of the 10 permitted KIT days. Therefore if you work a KIT day, you will continue to receive any contractual maternity pay or SMP (or maternity allowance) that is due for that day.
2. Where you are entitled to additional payment this will be paid at basic pay.
3. Although working for part of a day will count as one of the 10 KIT days, any entitlement of payment will be calculated using the net hours actually worked.
4. The total of maternity pay and any additional payment due for working a KIT day will not exceed your contractual daily rate of pay. In practice this means:
 - a. If you work a KIT day while receiving your contractual maternity pay you will receive payment for the net hours worked at your normal contractual rate of pay, in addition to contractual maternity pay and SMP, within the overall limit of your contractual daily rate of pay.
 - b. If you work a KIT day while receiving SMP only you will receive payment for the net hours actually worked at your normal contractual rate of pay, in addition to SMP, within the overall limit of your contractual daily rate of pay.
 - c. If you work a KIT day while on unpaid maternity leave, you will receive your contractual rate of pay for the net hours you work.
5. For the purposes of KIT days, Maternity Allowance will be treated the same as SMP when calculating payment for a KIT day.

Section 1k Return to Work

1. The HR Department will advise you in writing of the end day of any period of maternity leave.
2. Unless otherwise notified, the date on which you return to work should normally be the first working day 52 weeks after your maternity leave began. This is because all employees are entitled to 26 weeks ordinary maternity leave and a further 26 weeks additional maternity leave.
3. The 52 weeks maternity leave is the maximum amount and the member of staff can decide to have as much of that period as she may wish to take. Therefore the HR Department will issue you with an 'Intent to Return to Work' form (see Appendix 3) at the 13 week stage of maternity leave.

4. You can change the dates of your return to work as long as you give 8 weeks' notice to the PBNI HR Department.
5. Maternity leave is completed once you return to work irrespective of how much of your entitlement to maternity leave not taken.
6. Under the Shared Parental Leave arrangements you can 'curtail' your maternity leave (after the first 2 weeks' compulsory leave) and convert this to shared parental leave to share with the other parent. See Section 6 on Shared Parental Leave and Pay.
7. If you are unable to return to work after your maternity leave due to sickness, the normal provisions for occupational sick pay will apply.
8. See Section 1L with regard to annual leave.
9. Where you apply for a career break immediately following a period of maternity leave there is no need to return to work for 3 months prior to the career break in order to avoid having to repay the contractual maternity pay (less SMP paid to you). If however, you resign during the course of the career break or fail to return to work for a period of 3 months at the end of your career break, you will be expected to repay the difference between the contractual maternity pay and SMP already paid to you.
10. If you have commenced maternity leave and then decide to resign during your maternity leave you should forward your letter of resignation to the HR Department giving one calendar months' notice. You will be expected to repay the difference between the contractual maternity pay and SMP already paid to you.
11. If you start work for another employer after your child is born and during your maternity pay period (ie when SMP is payable) you must advise the HR Department within 7 days as PBNI's liability to pay SMP ceases for the remainder of the maternity pay period.

Section 1L Annual Leave

1. During the 26 weeks ordinary maternity leave and the 26 weeks additional maternity leave you continue to accrue annual leave entitlement.
2. Annual leave may be taken directly before the commencement of ordinary maternity leave however if you are on annual leave and the baby is born within 4 weeks of the Expected Week of Childbirth then ordinary maternity leave will start automatically on the day after the date of birth. In such cases your annual leave will be reinstated back into your annual leave balance.
3. You can decide to take annual leave at any point following the commencement of your maternity leave (after two weeks compulsory maternity leave) but this will mean you cannot recommence maternity leave once annual leave has been taken.
4. Annual leave could, for example, be taken directly after the full 52 weeks maternity leave (ordinary and additional maternity leave) or directly after the 26 weeks ordinary maternity leave, or after 39 weeks (when SMP ends).

5. The HR Department will contact you seeking details of any annual leave arrangements you wish to avail of (included in the 'Intent to Return to Work' form referred to in section 1k above).
6. You should also seek approval from your line manager for any annual leave you wish to take.
7. Where maternity leave crosses two leave years, any annual leave carry over, in excess of the normal 7 days, will be permitted.
8. Under the Shared Parental Leave arrangements you can 'curtail' your maternity leave (after the first 2 weeks' compulsory leave) and convert this to shared parental leave to share with the other parent. See Section 6 on Shared Parental Leave and Pay.

Section 1m Terms and Conditions during Maternity Leave

1. During your period of maternity leave, the contract of employment continues and you are entitled to receive all contractual benefits with the exception of salary.

Section 1n Pension

1. During any periods of reduced contractual pay or when receiving statutory maternity pay there is a requirement under the NILGOSC pension regulations to apply Assumed Pensionable Pay (APP).
2. You will pay pension contributions on any pensionable pay received during any periods of reduced contractual pay or statutory maternity pay however PBNI will pay employer contributions on the APP.
3. APP does not apply to any periods of unpaid maternity leave and you will not be building up pension during that period.
4. You can, on your return to work, buy back the amount of pension you lost during a period of unpaid maternity leave, by paying Additional Pension Contributions (APCs).
5. Buying back the whole of the lost pension will ensure the period of leave of absence on no pay, is included when calculating certain protections due under the scheme if you were a member of the scheme before 1 April 2015.
6. If you wish to buy back lost pension PBNI will meet 2/3rds of the cost provided you make an election to do so whilst you are an active member of the pension scheme and **within** 30 days of returning to work after the period of absence. N.B. the 30 day period starts immediately after your period of unpaid leave has ended, regardless of whether or not you physically return to work. So, for example, if you take a period of annual leave directly following a period of unpaid maternity leave, the 30 day period will begin from the day immediately following your unpaid maternity leave (including weekends).
7. If you make an election 30 days **after** your unpaid maternity leave, and whilst still an active member, you can still buy back the amount of lost pension, but it will be at whole cost to you.

Section 2

Maternity Leave and Pay

Administrative Grade Staff

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Section 2a Introduction

1. The following provisions are effective from 1 October 2006 as provided for under the Work and Families (NI) Order 2006, the Maternity and Parental Leave etc Regulations 2006 and the Statutory Maternity Pay, Social Security (Maternity Allowance); and Social Security (Overlapping Benefits) [Amendment] Regulations 2006.
2. This guidance is about the statutory and occupational entitlement to maternity leave and pay. Maternity rights apply to childbirth. Childbirth is defined as:
 - The birth of a living child
 - The birth of a child, whether living or not, after 24 weeks of pregnancy.
3. The introduction of the new statutory right to shared parental leave and pay does not affect the current arrangements around both statutory and occupational maternity leave and pay.
4. The statutory maternity regulations apply to all pregnant employees, regardless of length of service and the number of hours worked per week. All employees ie those working under a contract of employment, are entitled to a maximum of 52 weeks statutory maternity leave or as much of that leave they wish to take.
5. The 52 weeks statutory maternity leave applies regardless of the number of children resulting from a single pregnancy.
6. Employees who meet the eligibility criteria will also be entitled to statutory maternity pay (SMP). SMP is paid for up to 39 weeks. Where SMP is not applicable an employee may obtain maternity allowance from the Social Security Agency.
7. The occupational maternity pay scheme applies only to those who meet the qualifying length of service.
8. An employee may not work for her employer immediately after childbirth. This period of compulsory maternity leave lasts for two weeks from the date of the child's birth.

Section 2b Antenatal Care

1. Any pregnant employee has the right to paid time off to attend for antenatal care and must produce evidence of appointments if requested by the Board.
2. From 5 April 2015, fathers and partners, including same sex, of a pregnant woman now have the right to take unpaid time off work to accompany expectant mothers to up to 2 antenatal appointments.
3. The time off is capped at 6½ hours for each appointment and there is no qualifying period before employees can take up the new rights.
4. A partner includes the spouse or civil partner of the pregnant woman and a person of either sex, in a long-term relationship with her. The right applies whether the child is conceived naturally or through donor insemination.

5. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for, and intend to apply for a Parental Order for the child born through that arrangement.

Section 2c Eligibility to Maternity Leave

1. Employees who wish to avail of maternity leave must notify the HR Department of the following:
 - that she is pregnant (to be confirmed by the production of a Maternity Certificate, Mat B1)
 - of the expected week of childbirth (EWC);
 - of the date of the beginning of her absence (the earliest possible date for this is 11 weeks before the EWC).
- and
- Still be pregnant at the start of the 16th week before the expected week of childbirth, or have given birth to a living child before that date.
2. Notice should be given no later than the end of the 15th week before the week the baby is due or as soon as is reasonably practicable.
 3. Employees must also complete an “Ordinary Maternity Leave” form (see Appendix 2) and forward this to the HR Department along with a Maternity Certificate, MatB1. A MatB1 is issued by your doctor or midwife at approximately 21-28 weeks in pregnancy.
 4. Within 28 days of receiving the Ordinary Maternity Leave form and Mat B1, the HR Department will write to you providing details of ordinary maternity leave and pay arrangements and when this will end.

Section 2d Eligibility to Statutory and Occupational Maternity Pay

1. An employee with less than one years’ service at the beginning of her maternity leave will not be entitled to occupational (contractual) maternity pay. She may however be entitled to statutory maternity pay (SMP).
2. It follows therefore that to qualify for occupational (contractual) maternity pay you must have completed one years’ service (which need not be continuous) at the beginning of your maternity leave.
3. To be eligible for statutory maternity pay you must meet certain qualifying conditions, in addition to the requirements for maternity leave set out above.
4. To qualify for SMP you must have:
 - 26 weeks’ continuous service by the end of the qualifying week, in other words the 15th week before the EWC

and

- Average earnings in the 8 weeks up to and including the qualifying week of at least equal to the lower earnings limit for National Insurance Contributions.
5. The Ordinary Maternity Leave form contains a declaration that must be completed. This declaration states that you intend to return to work after the birth of your baby and undertake to repay PBNI, any contractual payment made during the ordinary maternity leave period if you fail to return and complete one calendar months' service; such payment will exclude any statutory maternity pay (SMP).
 6. Employees who do not qualify for statutory maternity pay (SMP) may claim Maternity Allowance (MA) from the Social Security Agency. See section 2g.

Section 2e Maternity Leave Entitlement

1. All employees regardless of their length of service, or hours worked, are entitled to a maximum of 52 weeks maternity leave or as much of that leave they wish to take.
2. Maternity leave is a single continuous block and is made up of:
 - 26 weeks ordinary maternity leave (OML)
 - and
 - 26 weeks additional maternity leave (AML)
3. You can choose when to start your maternity leave. This can usually be any date from the beginning of the 11th week before the week the baby is due to up until the birth itself.
4. You may not work for PBNI for 2 weeks immediately after childbirth. This period of compulsory maternity leave lasts for 2 weeks from the date of the child's birth.
5. If childbirth occurs before the date you have notified (or before you have notified any date) the maternity leave period starts automatically on the day after the date of birth. This happens even if the birth takes place before the start of the 11th week before the birth was originally expected.
6. If ordinary maternity leave has not already started it will be triggered if you are absent for a pregnancy related reason from the beginning of the 4th week before the expected week of childbirth. The maternity leave period will begin automatically on the day after the first day of her absence.
7. You can change the date you start your ordinary maternity leave as long as you give 28 days' notice to the HR Department.
8. You can change the dates of your return to work as long as you give 8 weeks' notice to the HR Department.

Section 2f Maternity Pay Entitlement

Occupational Maternity Pay

1. Payment of occupational maternity pay during 26 weeks Ordinary Maternity Leave (OML) is as follows:
 - *First 18 weeks* Full normal salary [inclusive of Statutory Maternity Pay (SMP)].
 - *Next 8 weeks* SMP entitlement only at the appropriate statutory level designated with effect from April each year (or maternity allowance if the employee is not eligible for SMP)
2. Payment during 26 weeks Additional Maternity Leave (AML) is as follows:
 - *First 13 weeks* SMP entitlement only at the appropriate statutory leave designated with effect from April each year (or maternity allowance if the employee is not eligible for SMP)
 - *Final 13 weeks* Unpaid
3. Payment of occupational maternity pay made by PBNI during ordinary maternity leave is granted on the condition that the member of staff intends to return to work and completes at least one month's paid service on her return to work. Where the member of has not satisfied this requirement, the Board will ask her to repay any salary for the period of maternity leave (less any SMP to which she is entitled).
4. PBNI has the discretion to waive repayment where there are good reasons why the officer cannot return or it is believed a genuine intention to return cannot be realised because of exceptional circumstances.
5. Repayment shall always be waived if the employee provides medical evidence that she will be unable to return within 52 weeks because her child has a disability and requires continuous attention at home.
6. Payments made to the employee by way of SMP are not refundable and she will still receive these should she leave her employment after the 15th week before the EWC.
7. For employees not intending to return to work, payments shall be the employee's entitlement to SMP.

Chart showing occupational maternity leave and pay.

Number of Weeks Maternity Leave

| 1 | 18 | 26 | 39 | 52 |
|-----------------------------------|----------|-------------------------------------|--------|----|
| Full normal salary | SMP only | SMP only | Unpaid | |
| 26 weeks Ordinary Maternity Leave | | 26 weeks Additional Maternity Leave | | |

Statutory Maternity Pay

1. If you are not entitled to occupational maternity pay you may qualify for statutory maternity pay.
2. Payment during Ordinary Maternity Leave is as follows:
 - *First 6 weeks* SMP paid at 9/10ths of average weekly earnings
 - *Next 20 weeks* SMP entitlement only at the appropriate statutory level designated with effect from April each year
3. Payment during Additional Maternity Leave is as follows:
 - First 13 weeks SMP entitlement only at the appropriate statutory level designated with effect from April each year
 - Final 13 weeks Unpaid

Chart showing details of statutory maternity leave and statutory maternity pay.

Number of Weeks Maternity Leave

| | | | | | |
|-----------------------------------|----------|----|-------------------------------------|--------|----|
| 1 | 6 | 18 | 26 | 39 | 52 |
| SMP at 9/10ths of salary | SMP only | | SMP only | Unpaid | |
| 26 weeks Ordinary Maternity Leave | | | 26 weeks Additional Maternity Leave | | |

Section 2g Exclusion from Statutory Maternity Pay (SMP)

1. If you do not qualify for SMP you may claim Maternity Allowance from the Social Security Agency.
2. Maternity Allowance is a tax-free benefit payable to women who cannot get SMP from their employer. If you do not qualify for SMP the HR Department will inform you and will issue form SMP1.
3. Information on maternity allowance can be obtained from the Social Security Agency. [Maternity Allowance | nidirect](#)
4. Notification requirements and medical evidence as outlined in Section 2c are still required.
5. Employees who do not qualify for SMP are those who:
 - Have less than 26 weeks' continuous service by the end of the 15th week before the expected week of childbirth (EWC)
 - Have average weekly earnings which are less than the lower earnings limit.
 - By the end of the 15th week before the expected week of childbirth, do not give the employer notice that she will be away from work due to pregnancy

- Do not provide the employer with medical evidence (Mat B1 certificate) of the expected week of childbirth
- Do not tell the employer that the baby had been born and the date the birth was originally expected
- Are in legal custody at the beginning of the maternity pay period.

Section 2h Contact during Maternity Leave

1. Your line manager may make reasonable contact with you from time to time while you are on maternity leave in order, for example, to keep you informed of developments at the workplace or to discuss arrangements for your return to work.
2. What constitutes “reasonable” contact will vary according to the circumstances. You may prefer to keep such contact to a minimum or you may not mind frequent contact.
3. Therefore before maternity leave begins you should discuss arrangements for staying in touch with your line manager.
4. You should also discuss the process for agreeing to work KIT days with your line manager. See Section 2i below.

Section 2i Keeping in Touch Days (KIT days)

1. Under the Maternity and Parental Leave Regulations 10 ‘Keeping in Touch’ (KIT) days are permitted during maternity leave without losing SMP or Maternity Allowance, or bringing the maternity leave to an end as a result.
2. KIT days differ from the reasonable contact mentioned in Section 2h as during KIT days you can actually carry out work.
3. KIT days have no effect on the end date of your maternity leave.
4. For the purposes of KIT arrangements, work means any work done for the employer and may include training or any activity undertaken by you for the purposes of keeping in touch with the workplace. For example, this could be to attend a team meeting, a training event or conference.
5. Any KIT days worked under this provision must be in agreement with you. The employer has no right to demand that any such KIT day is worked, nor have you any right to work a KIT day.
6. KIT days can be worked at any stage during the maternity leave period except during the 2 weeks’ compulsory maternity leave. Although you may work a maximum of 10 KIT days these need not be consecutive days and working part of a day will count as one of the 10 days.
7. In PBNI you may be contacted by the HR Department for the purposes of KIT days that may take place during your maternity leave.

8. You should therefore complete section C of the Ordinary Maternity Leave form (see Appendix x) confirming whether or not you wish to be contacted during your maternity leave for the purposes of KIT days.

Section 2j Payment of KIT days Worked

1. The payment of contractual maternity pay or SMP is not affected by working any of the 10 permitted KIT days. Therefore if you work a KIT day, you will continue to receive any contractual maternity pay or SMP (or maternity allowance) that is due for that day.
2. Where you are entitled to additional payment this will be paid at basic pay.
3. Although working for part of a day will count as one of the 10 KIT days, any entitlement of payment will be calculated using the net hours actually worked.
4. The total of maternity pay and any additional payment due for working a KIT day will not exceed your contractual daily rate of pay. In practice this means:
 - a. If you work a KIT day while receiving your contractual maternity pay no extra payment will be made.
 - b. If you work a KIT day while receiving SMP only you will receive payment for the net hours actually worked at your normal contractual rate of pay, in addition to SMP, within the overall limit of your contractual daily rate of pay.
 - c. If you work a KIT day while on unpaid maternity leave, you will receive your contractual rate of pay for the net hours you work.
5. For the purposes of KIT days, Maternity Allowance will be treated the same as SMP when calculating payment for a KIT day.

Section 2k Return to Work

1. The HR Department will advise you in writing of the end day of any period of maternity leave.
2. Unless otherwise notified, the date on which you return to work should normally be the first working day 52 weeks after your maternity leave began. This is because all employees are entitled to 26 weeks ordinary maternity leave and a further 26 weeks additional maternity leave.
3. The 52 weeks maternity leave is the maximum amount and the member of staff can decide to have as much of that period as she may wish to take. Therefore the HR Department will issue you with an 'Intent to Return to Work' form (see Appendix 3) at the 13 week stage of maternity leave.
4. You can change the dates of your return to work as long as you give 8 weeks' notice to the PBNI HR Department.

5. Maternity leave is completed once you return to work irrespective of how much of your entitlement to maternity leave not taken.
6. Under the Shared Parental Leave arrangements you can 'curtail' your maternity leave (after the first 2 weeks' compulsory leave) and convert this to shared parental leave to share with the other parent. See Section 6 on Shared Parental Leave and Pay.
7. If you are unable to return to work after your maternity leave due to sickness, the normal provisions for occupational sick pay will apply.
8. See Section 2L with regard to annual leave.
9. Where you apply for a career break immediately following a period of maternity leave there is no need to return to work for one month prior to the career break in order to avoid having to repay the contractual maternity pay (less SMP paid to you). If however, you resign during the course of the career break or fail to return to work for a period of one month at the end of your career break, you will be expected to repay the difference between the contractual maternity pay and SMP already paid to you.
10. If you have commenced maternity leave and then decide to resign during your maternity leave you should forward your letter of resignation to the HR Department giving one calendar months' notice. You will be expected to repay the difference between the contractual maternity pay and SMP already paid to you.
11. If you start work for another employer after your child is born and during your maternity pay period (ie when SMP is payable) you must advise the HR Department within 7 days as PBNI's liability to pay SMP ceases for the remainder of the maternity pay period.

Section 2L Annual Leave

1. During the 26 weeks ordinary maternity leave and the 26 weeks additional maternity leave you continue to accrue annual leave entitlement.
2. Annual leave may be taken directly before the commencement of ordinary maternity leave however if you are on annual leave and the baby is born within 4 weeks of the Expected Week of Childbirth then ordinary maternity leave will start automatically on the day after the date of birth. In such cases your annual leave will be reinstated back into your annual leave balance.
3. You can decide to take annual leave at any point following the commencement of your maternity leave (after two weeks compulsory maternity leave) but this will mean you cannot recommence maternity leave once annual leave has been taken.
4. Annual leave could, for example, be taken directly after the full 52 weeks maternity leave (ordinary and additional maternity leave) or directly after the 26 weeks ordinary maternity leave, or after 39 weeks (when SMP ends).

5. The HR Department will contact you seeking details of any annual leave arrangements you wish to avail of (included in the 'Intent to Return to Work' form referred to in section 2k above).
6. You should also seek approval from your line manager for any annual leave you wish to take.
7. Where maternity leave crosses two leave years, any annual leave carry over, in excess of the normal 9 days, will be permitted.
8. Under the Shared Parental Leave arrangements you can 'curtail' your maternity leave (after the first 2 weeks' compulsory leave) and convert this to shared parental leave to share with the other parent. See Section x on Shared Parental Leave and Pay.

Section 2m Terms and Conditions during Maternity Leave

1. During your period of maternity leave, the contract of employment continues and you are entitled to receive all contractual benefits with the exception of salary.

Section 2n Pension

1. During any periods of reduced contractual pay or when receiving statutory maternity pay there is a requirement under the NILGOSC pension regulations to apply Assumed Pensionable Pay (APP).
2. You will pay pension contributions on any pensionable pay received during any periods of reduced contractual pay or statutory maternity pay however PBNI will pay employer contributions on the APP.
3. APP does not apply to any periods of unpaid maternity leave and you will not be building up pension during that period.
4. You can, on your return to work, buy back the amount of pension you lost during a period of unpaid maternity leave, by paying Additional Pension Contributions (APCs).
5. Buying back the whole of the lost pension will ensure the period of leave of absence on no pay, is included when calculating certain protections due under the scheme if you were a member of the scheme before 1 April 2015.
6. If you wish to buy back lost pension PBNI will meet 2/3rds of the cost provided you make an election to do so whilst you are an active member of the pension scheme and **within** 30 days of returning to work after the period of absence. N.B. the 30 day period starts immediately after your period of unpaid leave has ended, regardless of whether or not you physically return to work. So, for example, if you take a period of annual leave directly following a period of unpaid maternity leave, the 30 day period will begin from the day immediately following your unpaid maternity leave (including weekends).
7. If you make an election 30 days **after** your unpaid maternity leave, and whilst still an active member, you can still buy back the amount of lost pension, but it will be at whole cost to you.

Section 3

Adoption Leave and Pay

Probation Grade Staff

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3a Introduction

1. This guidance is about the statutory and contractual entitlement to adoption leave and pay which apply where an adopter is newly matched with a child by an approved adoption agency and the child is placed for adoption.
2. 'Matched' means that the adoption agency gives you the details of the child they think is suitable for you to adopt.
3. This excludes those with whom the child has an existing relationship such as a step-parent adopting a partner's child.
4. Only one period of adoption leave will be available in respect of each placement, even if more than one child is adopted as part of the same arrangement.
5. An adopter may be an individual or one member of a couple where a couple adopts jointly. Where a couple is adopting jointly, only one member of that couple can claim adoption leave.
6. The other member of the couple, or the partner of an individual who adopts, may be entitled to paternity leave and pay (see Section 5) and shared parental leave and pay if the main adopter 'curtails' his/her adoption leave and pay (see Section 6).
7. The introduction of the new statutory shared parental leave and pay does not affect the current arrangements around both statutory and occupational adoption leave and pay.
8. An employee who becomes a parent through an arrangement with a surrogate mother is entitled to adoption leave and pay.
9. A foster parent may be able to take adoption leave and pay if they go on to adopt a child but only if the child is matched for adoption by a UK adoption agency. Adoption via a court order does not count. The child must then be actually placed for adoption.
10. The statutory regulations on 52 weeks adoption leave apply to all employees regardless of length of service and the number of hours worked per week.
11. Employees who meet certain qualifying criteria are entitled to 39 weeks statutory adoption pay (SAP).
12. The occupational adoption pay scheme applies only to those who meet the qualifying length of service.

3b Time off for Adoption Appointments

1. From 5 April 2015 you will be able to take paid time off for up to 5 adoption appointments if you are the main adopter.
2. The second adopter will be entitled to take 2 appointments which will be unpaid.

3c Eligibility to Adoption Leave

1. Employees who wish to avail of adoption leave must inform the HR Department within 7 days of being notified by a UK adoption agency that they have been matched with a child for adoption (the qualifying week). If this is not possible notification must be as soon as reasonably practicable.
2. Employees must notify the HR Department of the following:
 - That s/he has notified the adoption agency that s/he agrees that the child should be placed with him/her and on the date of placement
 - That s/he intends to take adoption leave
 - When the child is expected to be placed for adoption with him/her
 - When they want their adoption leave to start (no sooner than 14 days before placement)
3. For employees in surrogacy arrangements, at least 15 weeks before the due date, you must tell the HR Department when the baby is due and when you want to start your adoption leave.
4. For overseas adoptions the conditions are the same except the employee:
 - Must provide 'official notification' (permission from a UK authority) that they can adopt from abroad within 28 days from receiving this
 - Must advise when the child is expected to enter Northern Ireland and provide date of entry
 - Must fill in the declaration SC6 if they are adopting a child with their partner

Form SC6 confirms they are not taking paternity leave or pay (available for HMRC).
5. When applying for adoption leave, supporting documentary evidence must be provided from the adoption agency in the form of a 'matching certificate' given basic information on the matching and expected placement dates.
6. Employees must complete an "Ordinary Adoption Leave" form (see Appendix 4) and forward this to the HR Department along with the matching certificate.
7. Within 28 days of receiving the Ordinary Adoption Leave form and matching certificate the HR Department will write to you providing details of ordinary adoption leave and pay arrangements and when this will end.

3d Eligibility to Statutory and Occupational Adoption Pay

1. An employee with less than one year's continuous service up to and including the qualifying week will not be entitled to occupational (contractual) adoption pay. There may however be entitlement to statutory adoption pay.
2. It follows therefore that to qualify for occupational (contractual) adoption pay you must have completed one year's continuous service up to and including the qualifying week.

3. The qualifying week is no more than the 7 days after you are notified by an adoption agency that you have been matched with a child for adoption.
4. To be eligible for statutory adoption pay you must meet certain qualifying conditions, in addition to the requirements for adoption leave set out above.
5. To qualify for statutory adoption pay (SAP) you must:
 - have 26 weeks continuous service by the end of the week in which you are notified of being matched with a child for adoption (ie up to and including the qualifying week)
and
 - average earnings in the 8 weeks up to and including the qualifying week of at least equal to the lower earnings limit for National Insurance Contributions.
6. For employees involved in surrogacy arrangements the following criteria apply:
 - The child must be due on or after 5 April 2015
and
 - You must have worked for PBNI continuously for at least 26 weeks by the 15th week before the week the baby is due.
7. The Ordinary Adoption Leave form contains a declaration that must be completed. This declaration states that you intend to return to work after adoption leave and undertake to repay PBNI, any payment made during this period if you fail to return and complete 3 calendar month's service; such payment will exclude any statutory adoption pay.
8. Employees who do not qualify for statutory adoption pay may be entitled to other benefits available from the Social Security Agency. If you are not entitled to SAP the HR Department will advise you of this and an SAP1 form will be completed.

3e Adoption Leave Entitlement

1. All employees regardless of their length of service, or hours worked are entitled to a maximum of 52 weeks adoption leave or as much of that leave they may wish to take.
2. Adoption leave is a single continuous block and is made up of:
 - 26 weeks ordinary adoption leave (OAL)
and
 - 26 weeks additional adoption leave (AOL)
3. You can choose when to start your adoption leave. This can be:
 - The date on which the child is being placed with you for adoption
or
 - A date no later than 14 days before the date on which the child is expected to be placed for adoption (and no later than the expected date of placement).

4. If it becomes necessary for you to change the start date of adoption leave, you must notify the HR Department at least 28 days in advance of the revised date.
5. If you plan to start your adoption leave at any time before the actual date of placement, you must be sure that the placement is going ahead before you start your leave. If the placement is delayed and you have already begun your adoption leave you cannot stop your adoption leave and start again.
6. If you begin a period of adoption leave before the placement of a child and are then told that the placement will not be made, or during adoption leave the child dies or returns to the adoption agency, you adoption leave will normally finish 8 weeks after the end of the week in which the disruption took place.
7. However, if you are taking additional adoption leave and the period of 26 weeks would have ended within 8 weeks of the week in which the disruption occurs, additional adoption leave ends on the expiry of the 26 week period.

3f Adoption Pay Entitlement

Occupational Adoption Pay

1. Payment of occupational adoption pay during 26 weeks Ordinary Adoption Leave (OAL) is as follows:
 - *First 6 weeks* 9/10ths of a week's pay offset against payments by way of statutory adoption pay (SAP).
 - *Next 12 weeks* half pay plus statutory adoption pay at the appropriate statutory level designated to the extent where the combined payments do not exceed full pay.
 - *Next 8 weeks* SAP entitlement only at the appropriate statutory level designated with effect from April each year.
2. Payment during 26 weeks Additional Adoption Leave (AAL) is as follows:
 - *First 13 weeks* SAP entitlement only at the appropriate statutory level designated with effect from April each year.
 - *Final 13 weeks* Unpaid

Chart showing occupational adoption leave and pay.

Number of Weeks Adoption Leave

| | | | | | |
|----------------------------------|-------------------|----------|------------------------------------|--------|----|
| 1 | 6 | 18 | 26 | 39 | 52 |
| 9/10ths of salary | Half Pay plus SAP | SAP only | SAP only | Unpaid | |
| 26 weeks Ordinary Adoption Leave | | | 26 weeks Additional Adoption Leave | | |

3. Payment of occupational adoption pay, at the rate of half pay, made by PBNI during the Adoption Leave shall only be made on the understanding that the member of staff will return to PBNI employment for a period of at least 3 months. This may be varied by the Board on good cause being shown and, in the event of you not doing so, you shall be required to refund the monies paid, or such part thereof, if any, as the Board may decide.
4. PBNI has the discretion to waive repayment where there are good reasons why the officer cannot return or it is believed a genuine intention to return cannot be realised because of exceptional circumstances.
5. Repayment shall always be waived if the employee provides medical evidence that s/he will be unable to return within 52 weeks because his/her child has a disability and requires continuous attention at home.
6. Payments made to the employee by way of SAP are not refundable and s/he will still receive these should s/he leave employment after the qualifying week.
7. For employees not intending to return to work payment shall be the entitlement to SAP only.

Statutory Adoption Pay

1. If you are not entitled to occupational adoption pay you may qualify for statutory adoption pay.
2. Payment during Ordinary Adoption Leave is as follows:
 - *First 6 weeks* SAP paid at 9/10ths average weekly earnings
 - *Next 20 weeks* SAP at the statutory level designated with effect from April each year.
3. Payment during Additional Adoption Leave is as follows:
 - *First 13 weeks* SAP entitlement only at the appropriate statutory level designated from April each year
 - *Final 13 weeks* Unpaid

Chart showing details of statutory adoption leave and statutory adoption pay.

Number of Weeks Adoption Leave

| | | | | | |
|----------------------------------|----------|----|------------------------------------|--------|----|
| 1 | 6 | 18 | 26 | 39 | 52 |
| SMP at 9/10ths of salary | SAP only | | SAP only | Unpaid | |
| 26 weeks Ordinary Adoption Leave | | | 26 weeks Additional Adoption Leave | | |

3g Exclusion from Statutory Adoption Pay

1. If you do not qualify for SAP you will be issued with form SAP1 from the HR Department.
2. Employees who do not qualify for SAP are those who:
 - Have not worked continuously for PBNI for 26 weeks by the time the adoption agency tell him/her that they have been matched with a child for adoption
 - Have not given sufficient notice that s/he will be away from work
 - Have not given acceptable evidence of entitlement (matching certificate)
 - Are in legal custody on or after the first day of the SAP period
 - Have average weekly earnings which are less than the lower earnings limit
 - During any week s/he are receiving statutory sick pay
3. If you do not qualify for SAP you should contact your adoption agency and /or local Social Security Office for advice on financial support available to adopters.

3h Contact during Adoption Leave

1. Your line manager may make reasonable contact with you from time to time while you are on adoption leave in order, for example, to keep you informed of developments at the workplace or to discuss arrangements for your return to work.
2. What constitutes “reasonable” contact will vary according to the circumstances. You may prefer to keep such contact to a minimum or you may not mind frequent contact.
3. Therefore before adoption leave begins you should discuss arrangements for staying in touch with your line manager.
4. You should also discuss the process for agreeing to work KIT days with your line manager. See Section 3i below.

Section 3i Keeping in Touch Days (KIT days)

1. Under the Paternity and Adoption Leave (Amendment) Regulations (NI) 2006, 10 ‘Keeping in Touch’ (KIT) days are permitted during adoption leave without losing SAP, or bringing the adoption leave to an end as a result.
2. KIT days differ from the reasonable contact mentioned in Section 1h as during KIT days you can actually carry out work.
3. KIT days have no effect on the end date of your adoption leave.
4. For the purposes of KIT arrangements, work means any work done for the employer and may include training or any activity undertaken by you for the purposes of keeping in touch with the workplace. For example, this could be to attend a team meeting, a training event or conference.

5. Any KIT days worked under this provision must be in agreement with you. The employer has no right to demand that any such KIT day is worked, nor have you any right to work a KIT day.
6. KIT days can be worked at any stage during the adoption leave period. Although you may work a maximum of 10 KIT days these need not be consecutive days and working part of a day will count as one of the 10 days.
7. In PBNI you may be contacted by the HR Department for the purposes of any compulsory training events that may take place during your maternity leave.
8. You should therefore complete section C of the Ordinary Adoption Leave form (see Appendix 4) confirming whether or not you wish to be contacted during your adoption leave for the purposes of compulsory training.

Section 3j Payment of KIT days Worked

1. The payment of contractual adoption pay or SAP is not affected by working any of the 10 permitted KIT days. Therefore if you work a KIT day, you will continue to receive any contractual adoption pay or SAP that is due for that day.
2. Where you are entitled to additional payment this will be paid at basic pay.
3. Although working for part of a day will count as one of the 10 KIT days, any entitlement of payment will be calculated using the net hours actually worked.
4. The total of adoption pay and any additional payment due for working a KIT day will not exceed your contractual daily rate of pay. In practice this means:
 - a. If you work a KIT day while receiving your contractual maternity pay you will receive payment for the net hours worked at your normal contractual rate of pay, in addition to contractual adoption pay and SAP, within the overall limit of your contractual daily rate of pay.
 - b. If you work a KIT day while receiving SAP only you will receive payment for the net hours actually worked at your normal contractual rate of pay, in addition to SAP, within the overall limit of your contractual daily rate of pay.
 - c. If you work a KIT day while on unpaid adoption leave, you will receive your contractual rate of pay for the net hours you work.

Section 3k Return to Work

1. The HR Department will advise you in writing of the end day of any period of adoption leave.
2. Unless otherwise notified, the date on which you return to work should normally be the first working day 52 weeks after your adoption leave began. This is because all employees are entitled to 26 weeks ordinary adoption leave and a further 26 weeks additional adoption leave.

3. The 52 weeks adoption leave is the maximum amount and the member of staff can decide to have as much of that period as s/he may wish to take. Therefore the HR Department will issue you with an 'Intent to Return to Work' form (see Appendix 6) at the 13 week stage of adoption leave.
4. You can change the dates of your return to work as long as you give 8 weeks' notice to the PBNI HR Department.
5. Adoption leave is completed once you return to work irrespective of how much of your entitlement to adoption leave not taken.
6. Under the Shared Parental Leave arrangements you can 'curtail' your adoption leave (after the first 2 weeks' adoption leave) and convert this to shared parental leave to share with the other parent. See Section 6 on Shared Parental Leave and Pay.
7. If you are unable to return to work following adoption leave due to sickness, the normal provisions for occupational sick pay will apply.
8. See Section 3L with regard to annual leave.
9. Where you apply for a career break immediately following a period of adoption leave there is no need to return to work for 3 months prior to the career break in order to avoid having to repay the contractual adoption pay (less SAP paid to you). If however, you resign during the course of the career break or fail to return to work for a period of 3 months at the end of your career break, you will be expected to repay the difference between the contractual adoption pay and SAP already paid to you.
10. If you have commenced adoption leave and then decide to resign during your adoption leave you should forward your letter of resignation to the HR Department giving one calendar months' notice. You will be expected to repay the difference between the contractual adoption pay and SAP already paid to you.
11. If you start work for another employer after your adoption and during your adoption pay period (ie when SAP is payable) you must advise the HR Department within 7 days as PBNI's liability to pay SAP ceases for the remainder of the adoption pay period.

Section 3L Annual Leave

1. During the 26 weeks ordinary adoption leave and the 26 weeks additional adoption leave you continue to accrue annual leave entitlement.
2. Annual leave may be taken directly before the commencement of ordinary adoption leave.
3. You can decide to take annual leave at any point after your adoption leave has commenced but this will mean you cannot recommence adoption leave once annual leave has been taken.
4. Annual leave could, for example, be taken directly after the full 52 weeks adoption leave (ordinary and additional adoption leave) or directly after the 26 weeks ordinary adoption leave, or after 39 weeks (when SAP ends).

5. The HR Department will contact you seeking details of any annual leave arrangements you wish to avail of (included in the 'Intent to Return to Work' form referred to in section 3k above).
6. You should also seek approval from your line manager for any annual leave you wish to take.
7. Where adoption leave crosses two leave years, any annual leave carry over, in excess of the normal 7 days, will be permitted.
8. Under the Shared Parental Leave arrangements you can 'curtail' your adoption leave (after the first 2 weeks' leave) and convert this to shared parental leave to share with the other parent. See Section 6 on Shared Parental Leave and Pay.

Section 3m Terms and Conditions during Adoption Leave

1. During your period of adoption leave, the contract of employment continues and you are entitled to receive all contractual benefits with the exception of salary.

Section 3n Pension

2. During any periods of reduced contractual pay or when receiving statutory adoption pay there is a requirement under the NIGOSC pension regulations to apply Assumed Pensionable Pay (APP).
3. You will pay pension contributions on any pensionable pay received during any periods of reduced contractual pay or statutory adoption pay however PBNI will pay employer contributions on the APP.
4. APP does not apply to any periods of unpaid adoption leave and you will not be building up pension during that period.
5. You can, on your return to work, buy back the amount of pension you lost during a period of unpaid adoption leave, by paying Additional Pension Contributions (APCs).
6. Buying back the whole of the lost pension will ensure the period of leave of absence on no pay, is included when calculating certain protections due under the scheme if you were a member of the scheme before 1 April 2015.
7. If you wish to buy back lost pension PBNI will meet 2/3rds of the cost provided you make an election to do so whilst you are an active member of the pension scheme and **within** 30 days of returning to work after the period of absence. N.B. the 30 day period starts immediately after your period of unpaid leave has ended, regardless of whether or not you physically return to work. So, for example, if you take a period of annual leave directly following a period of unpaid adoption leave, the 30 day period will begin from the day immediately following your unpaid adoption leave (including weekends).
8. If you make an election 30 days **after** your unpaid adoption leave, and whilst still an active member, you can still buy back the amount of lost pension, but it will be at whole cost to you.

Section 4

Adoption Leave and Pay Administrative Grade Staff

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4a Introduction

1. This guidance is about the statutory and contractual entitlement to adoption leave and pay which apply where an adopter is newly matched with a child by an approved adoption agency and the child is placed for adoption.
2. 'Matched' means that the adoption agency gives you the details of the child they think is suitable for you to adopt.
3. This excludes those with whom the child has an existing relationship such as a step-parent adopting a partner's child.
4. Only one period of adoption leave will be available in respect of each placement, even if more than one child is adopted as part of the same arrangement.
5. An adopter may be an individual or one member of a couple where a couple adopts jointly. Where a couple is adopting jointly, only one member of that couple can claim adoption leave.
6. The other member of the couple, or the partner of an individual who adopts, may be entitled to paternity leave and pay (see Section 5) and shared parental leave and pay if the main adopter 'curtails' his/her adoption leave and pay (see Section 6).
7. The introduction of the new statutory shared parental leave and pay does not affect the current arrangements around both statutory and occupational adoption leave and pay.
8. An employee who becomes a parent through an arrangement with a surrogate mother is entitled to adoption leave and pay.
9. A foster parent may be able to take adoption leave and pay if they go on to adopt a child but only if the child is matched for adoption by a UK adoption agency. Adoption via a court order does not count. The child must then be actually placed for adoption.
10. The statutory regulations on 52 weeks adoption leave apply to all employees regardless of length of service and the number of hours worked per week.
11. Employees who meet certain qualifying criteria are entitled to 39 weeks statutory adoption pay (SAP).
12. The occupational adoption pay scheme applies only to those who meet the qualifying length of service.

4b Time off for Adoption Appointments

1. From 5 April 2015 you will be able to take paid time off for up to 5 adoption appointments if you are the main adopter.
2. The second adopter will be entitled to take 2 appointments which will be unpaid.

4c Eligibility to Adoption Leave

1. Employees who wish to avail of adoption leave must inform the HR Department within 7 days of being notified by a UK adoption agency that they have been matched with a child for adoption (the qualifying week). If this is not possible notification must be as soon as reasonably practicable.
2. Employees must notify the HR Department of the following:
 - That s/he has notified the adoption agency that s/he agrees that the child should be placed with him/her and on the date of placement
 - That s/he intends to take adoption leave
 - When the child is expected to be placed for adoption with him/her
 - When they want their adoption leave to start (no sooner than 14 days before placement)
3. For employees in surrogacy arrangements, at least 15 weeks before the due date, you must tell the HR Department when the baby is due and when you want to start your adoption leave.
4. For overseas adoptions the conditions are the same except the employee:
 - Must provide 'official notification' (permission from a UK authority) that they can adopt from abroad within 28 days from receiving this
 - Must advise when the child is expected to enter Northern Ireland and provide date of entry
 - Must fill in the declaration SC6 if they are adopting a child with their partner

Form SC6 confirms they are not taking paternity leave or pay (available from HMRC).
5. When applying for adoption leave, supporting documentary evidence must be provided from the adoption agency in the form of a 'matching certificate' given basic information on the matching and expected placement dates.
6. Employees must complete an "Ordinary Adoption Leave" form (see Appendix 5) and forward this to the HR Department.
7. Within 28 days of receiving the Ordinary Adoption Leave form and matching certificate the HR Department will write to you providing details of ordinary adoption leave and pay arrangements and when this will end.

4d Eligibility to Statutory and Occupational Adoption Pay

1. An employee with less than one year's continuous service up to and including the qualifying week will not be entitled to occupational (contractual) adoption pay. There may however be entitlement to statutory adoption pay.
2. It follows therefore that to qualify for occupational (contractual) adoption pay you must have completed one year's continuous service up to and including the qualifying week.

3. The qualifying week is no more than the 7 days after you are notified by an adoption agency that you have been matched with a child for adoption.
4. To be eligible for statutory adoption pay you must meet certain qualifying conditions, in addition to the requirements for adoption leave set out above.
5. To qualify for statutory adoption pay (SAP) you must:
 - have 26 weeks continuous service by the end of the week in which you are notified of being matched with a child for adoption (ie up to and including the qualifying week) and
 - average earnings in the 8 weeks up to and including the qualifying week of at least equal to the lower earnings limit for National Insurance Contributions.
6. For employees involved in surrogacy arrangements the following criteria apply:
 - The child must be due on or after 5 April 2015 and
 - You must have worked for PBNI continuously for at least 26 weeks by the 15th week before the week the baby is due.
7. The Ordinary Adoption Leave form contains a declaration that must be completed. This declaration states that you intend to return to work after adoption leave and undertake to repay PBNI, any payment made during this period if you fail to return and complete one calendar month's service; such payment will exclude any statutory adoption pay.
8. Employees who do not qualify for statutory adoption pay may be entitled to other benefits available from the Social Security Agency. If you are not entitled to SAP the HR Department will advise you of this and an SAP1 form will be completed.

4e Adoption Leave Entitlement

1. All employees regardless of their length of service, or hours worked are entitled to a maximum of 52 weeks adoption leave or as much of that leave they may wish to take.
2. Adoption leave is a single continuous block and is made up of:
 - 26 weeks ordinary adoption leave (OAL) and
 - 26 weeks additional adoption leave (AOL)
3. You can choose when to start your adoption leave. This can be:
 - The date on which the child is being placed with you for adoption or
 - A date no later than 14 days before the date on which the child is expected to be placed for adoption (and no later than the expected date of placement).

4. If it becomes necessary for you to change the start date of adoption leave, you must notify the HR Department at least 28 days in advance of the revised date.
5. If you plan to start your adoption leave at any time before the actual date of placement, you must be sure that the placement is going ahead before you start your leave. If the placement is delayed and you have already begun your adoption leave you cannot stop your adoption leave and start again.
6. If you begin a period of adoption leave before the placement of a child and are then told that the placement will not be made, or during adoption leave the child dies or returns to the adoption agency, your adoption leave will normally finish 8 weeks after the end of the week in which the disruption took place.
7. However, if you are taking additional adoption leave and the period of 26 weeks would have ended within 8 weeks of the week in which the disruption occurs, additional adoption leave ends on the expiry of the 26 week period.

4f Adoption Pay Entitlement

Occupational Adoption Pay

1. Payment of occupational maternity pay during 26 weeks Ordinary Adoption Leave (OAL) is as follows:
 - *First 18 weeks* Full normal salary [inclusive of Statutory Adoption Pay (SMP)].
 - *Next 8 weeks* SAP entitlement only at the appropriate statutory level designated with effect from April each year
2. Payment during 26 weeks Additional Adoption Leave (AML) is as follows:
 - *First 13 weeks* SAP entitlement only at the appropriate statutory leave designated with effect from April each year
 - *Final 13 weeks* Unpaid

Chart showing occupational adoption leave and pay.

Number of Weeks Adoption Leave

| | | | | |
|----------------------------------|----------|------------------------------------|--------|----|
| 1 | 18 | 26 | 39 | 52 |
| Full normal salary | SAP only | SAP only | Unpaid | |
| 26 weeks Ordinary Adoption Leave | | 26 weeks Additional Adoption Leave | | |

3. Payment of occupational adoption pay made by PBNI during ordinary adoption leave is granted on the condition that the member of staff intends to return to work and completes at least one month's paid service on his/her return to work. Where the member of has not satisfied this requirement, the Board will ask him/her to repay any salary for the period of adoption leave (less any SAP to which she is entitled).

4. PBNI has the discretion to waive repayment where there are good reasons why the officer cannot return or it is believed a genuine intention to return cannot be realised because of exceptional circumstances.
5. Repayment shall always be waived if the employee provides medical evidence that she will be unable to return within 52 weeks because her child has a disability and requires continuous attention at home.
8. Payments made to the employee by way of SAP are not refundable and s/he will still receive these should s/he leave employment after the qualifying week.
9. For employees not intending to return to work payment shall be the entitlement to SAP only.

Statutory Adoption Pay

1. If you are not entitled to occupational adoption pay you may qualify for statutory adoption pay.
2. Payment during Ordinary Adoption Leave is as follows:
 - *First 6 weeks* SAP paid at 9/10ths average weekly earnings
 - *Next 20 weeks* SAP at the statutory level designated with effect from April each year
3. Payment during Additional Adoption Leave is as follows:
 - *First 13 weeks* SAP entitlement only at the appropriate statutory level designated from April each year
 - *Final 13 weeks* Unpaid

Chart showing details of statutory adoption leave and statutory adoption pay.

Number of Weeks Adoption Leave

| | | | | | |
|----------------------------------|----------|----|------------------------------------|--------|----|
| 1 | 6 | 18 | 26 | 39 | 52 |
| SMP at 9/10ths of salary | SAP only | | SAP only | Unpaid | |
| 26 weeks Ordinary Adoption Leave | | | 26 weeks Additional Adoption Leave | | |

4g Exclusion from Statutory Adoption Pay

1. If you do not qualify for SAP you will be issued with form SAP1 from the HR Department.
2. Employees who do not qualify for SAP are those who:

- Have not worked continuously for PBNI for 26 weeks by the time the adoption agency tell him/her that they have been matched with a child for adoption
 - Have not given sufficient notice that s/he will be away from work
 - Have not given acceptable evidence of entitlement (matching certificate)
 - Are in legal custody on or after the first day of the SAP period
 - Have average weekly earnings which are less than the lower earnings limit
 - During any week s/he are receiving statutory sick pay
3. If you do not qualify for SAP you should contact your adoption agency and /or local Social Security Office for advice on financial support available to adopters.

4h Contact during Adoption Leave

1. Your line manager may make reasonable contact with you from time to time while you are on adoption leave in order, for example, to keep you informed of developments at the workplace or to discuss arrangements for your return to work.
2. What constitutes “reasonable” contact will vary according to the circumstances. You may prefer to keep such contact to a minimum or you may not mind frequent contact.
3. Therefore before adoption leave begins you should discuss arrangements for staying in touch with your line manager.
4. You should also discuss the process for agreeing to work KIT days with your line manager. See Section 4i below.

Section 4i Keeping in Touch Days (KIT days)

1. Under the Paternity and Adoption Leave (Amendment) Regulations (NI) 2006, 10 ‘Keeping in Touch’ (KIT) days are permitted during adoption leave without losing SAP, or bringing the adoption leave to an end as a result.
2. KIT days differ from the reasonable contact mentioned in Section 4h as during KIT days you can actually carry out work.
3. KIT days have no effect on the end date of your adoption leave.
4. For the purposes of KIT arrangements, work means any work done for the employer and may include training or any activity undertaken by you for the purposes of keeping in touch with the workplace. For example, this could be to attend a team meeting, a training event or conference.
5. Any KIT days worked under this provision must be in agreement with you. The employer has no right to demand that any such KIT day is worked, nor have you any right to work a KIT day.

6. KIT days can be worked at any stage during the adoption leave period. Although you may work a maximum of 10 KIT days these need not be consecutive days and working part of a day will count as one of the 10 days.
7. In PBNI you may be contacted by the HR Department for the purposes of any compulsory training events that may take place during your maternity leave.
8. You should therefore complete section C of the Ordinary Adoption Leave form (see Appendix 5) confirming whether or not you wish to be contacted during your adoption leave for the purposes of compulsory training.

Section 4j Payment of KIT days Worked

1. The payment of contractual adoption pay or SAP is not affected by working any of the 10 permitted KIT days. Therefore if you work a KIT day, you will continue to receive any contractual adoption pay or SAP that is due for that day.
2. Where you are entitled to additional payment this will be paid at basic pay.
3. Although working for part of a day will count as one of the 10 KIT days, any entitlement of payment will be calculated using the net hours actually worked.
4. The total of adoption pay and any additional payment due for working a KIT day will not exceed your contractual daily rate of pay. In practice this means:
 - a. If you work a KIT day while receiving your contractual adoption pay you will receive no extra payment.
 - b. If you work a KIT day while receiving SAP only you will receive payment for the net hours actually worked at your normal contractual rate of pay, in addition to SAP, within the overall limit of your contractual daily rate of pay.
 - c. If you work a KIT day while on unpaid adoption leave, you will receive your contractual rate of pay for the net hours you work.

Section 4k Return to Work

1. The HR Department will advise you in writing of the end day of any period of adoption leave.
2. Unless otherwise notified, the date on which you return to work should normally be the first working day 52 weeks after your adoption leave began. This is because all employees are entitled to 26 weeks ordinary adoption leave and a further 26 weeks additional adoption leave.
3. The 52 weeks adoption leave is the maximum amount and the member of staff can decide to have as much of that period as s/he may wish to take. Therefore the HR Department will issue you with an 'Intent to Return to Work' form (see Appendix 6) at the 13 week stage of adoption leave.

4. You can change the dates of your return to work as long as you give 8 weeks' notice to the PBNI HR Department.
5. Adoption leave is completed once you return to work irrespective of how much of your entitlement to adoption leave not taken.
6. Under the Shared Parental Leave arrangements you can 'curtail' your adoption leave (after the first 2 weeks' adoption leave) and convert this to shared parental leave to share with the other parent. See Section 6 on Shared Parental Leave and Pay.
7. If you are unable to return to work following adoption leave due to sickness, the normal provisions for occupational sick pay will apply.
8. See Section 4L with regard to annual leave.
9. Where you apply for a career break immediately following a period of adoption leave there is no need to return to work for one month prior to the career break in order to avoid having to repay the contractual adoption pay (less SAP paid to you). If however, you resign during the course of the career break or fail to return to work for a period of one month at the end of your career break, you will be expected to repay the difference between the contractual adoption pay and SAP already paid to you.
10. If you have commenced adoption leave and then decide to resign during your adoption leave you should forward your letter of resignation to the HR Department giving one calendar months' notice. You will be expected to repay the difference between the contractual adoption pay and SAP already paid to you.
11. If you start work for another employer after your adoption and during your adoption pay period (ie when SAP is payable) you must advise the HR Department within 7 days as PBNI's liability to pay SAP ceases for the remainder of the adoption pay period.

Section 4L Annual Leave

1. During the 26 weeks ordinary adoption leave and the 26 weeks additional adoption leave you continue to accrue annual leave entitlement.
2. Annual leave may be taken directly before the commencement of ordinary adoption leave.
3. You can decide to take annual leave at any point after your adoption leave has commenced but this will mean you cannot recommence adoption leave once annual leave has been taken.
4. Annual leave could, for example, be taken directly after the full 52 weeks adoption leave (ordinary and additional adoption leave) or directly after the 26 weeks ordinary adoption leave, or after 39 weeks (when SAP ends).
5. The HR Department will contact you seeking details of any annual leave arrangements you wish to avail of (included in the 'Intent to Return to Work' form referred to in section 4k above).

6. You should also seek approval from your line manager for any annual leave you wish to take.
7. Where adoption leave crosses two leave years, any annual leave carry over, in excess of the normal 9 days, will be permitted.
8. Under the Shared Parental Leave arrangements you can 'curtail' your adoption leave (after the first 2 weeks' leave) and convert this to shared parental leave to share with the other parent. See Section 6 on Shared Parental Leave and Pay.

Section 4m Terms and Conditions during Adoption Leave

1. During your period of adoption leave, the contract of employment continues and you are entitled to receive all contractual benefits with the exception of salary.

Section 4n Pension

1. During any periods of reduced contractual pay or when receiving statutory adoption pay there is a requirement under the NILGOSC pension regulations to apply Assumed Pensionable Pay (APP).
2. You will pay pension contributions on any pensionable pay received during any periods of reduced contractual pay or statutory adoption pay however PBNi will pay employer contributions on the APP.
3. APP does not apply to any periods of unpaid adoption leave and you will not be building up pension during that period.
4. You can, on your return to work, buy back the amount of pension you lost during a period of unpaid adoption leave, by paying Additional Pension Contributions (APCs).
5. Buying back the whole of the lost pension will ensure the period of leave of absence on no pay, is included when calculating certain protections due under the scheme if you were a member of the scheme before 1 April 2015.
6. If you wish to buy back lost pension PBNi will meet 2/3rds of the cost provided you make an election to do so whilst you are an active member of the pension scheme and **within** 30 days of returning to work after the period of absence. N.B. the 30 day period starts immediately after your period of unpaid leave has ended, regardless of whether or not you physically return to work. So, for example, if you take a period of annual leave directly following a period of unpaid adoption leave, the 30 day period will begin from the day immediately following your unpaid adoption leave (including weekends).
7. If you make an election 30 days **after** your unpaid adoption leave, and whilst still an active member, you can still buy back the amount of lost pension, but it will be at whole cost to you.

Section 5

Paternity Leave and Pay

All Grades

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Section 5a Introduction

1. This guidance outlines the pay and leave entitlements for paternity leave.
2. If your partner gives birth (or adopts a child) you may be entitled to paternity leave and pay.
3. You may also be entitled to paternity leave and pay if you jointly adopt a child and your partner opts to take adoption leave.
4. Eligible employees are entitled to take either 1 or 2 consecutive weeks' statutory paternity leave.
5. Occupational paternity pay may also apply if you meet the eligibility criteria.
6. Statutory paternity leave is not restricted to the time of birth but it must be taken within 56 days of either the actual date of birth, or the expected week of childbirth.
7. If your baby was due or was placed for adoption before 5 April 2015 you may be entitled to additional paternity leave and pay. If this is the case please contact the HR Department.
8. If your baby was due or was placed for adoption after 5 April 2015 you may be entitled to shared parental leave and pay (see Section 6).

Section 5b Eligibility to Paternity Leave and Pay

1. Employees who wish avail of statutory paternity leave must:
 - Have or expect to have responsibility for the child's upbringing
 - Be the father, husband or partner or civil partner of the mother (or adopter)
 - Have worked continuously for PBNI for at least 26 weeks by the end of the 15th week before the week the baby is due
 - Have worked continuously for PBNI for at least 26 weeks leading into the week in which the adopter is notified of being matched with a child
 - Continue to be employed by PBNI until the date the baby is born or adopted.
 - Have average weekly earnings of not less than the lower earnings limit for the payment of National Insurance Contributions.
2. If using a surrogacy arrangement to have a baby, the baby must be born after 5 April 2015 to be eligible for paternity leave and pay. Employees must:
 - Be in a couple
 - Be responsible for the child (with the partner)
 - Have worked continuously for PBNI for at least 26 weeks by the end of the 15th week before the expected week of childbirth

3. In surrogacy arrangements, along with the normal notice requirements outlined below, the employee should (if asked) also provide a written statement to confirm s/he intends to apply for a parental order in the 6 months after the child's birth.
4. If an employee wishes to take paternity leave they should initially discuss with their line manager.
5. Notice should be given to the HR Department at least 15 weeks before the baby is due or within 7 days of the adopter being notified by the adoption agency that they have been matched with a child for adoption (unless this is not reasonable practicable).
6. The employee will need to confirm:
 - When the child is expected to be born/when the child is expected to be placed
 - Whether they wish to take one or two weeks leave
 - When they want their leave to start.
7. Employees need to provide a completed self-certificate as evidence of entitlement to statutory paternity leave and pay. The self-certificate includes a declaration that the employee meets certain eligibility conditions as set out above and provides the information specified as part of the notice requirements.
8. Self-certificates can be obtained from the HM Revenue and Customs or by accessing the links below. SC3 - becoming a parent and SC4 - becoming an adoptive parent or parental order parent.
 - [Ordinary Statutory Paternity Pay and Leave: becoming a birth parent \(SC3\) - Publications - GOV.UK](#)
 - [Statutory Paternity Pay and Leave: becoming an adoptive or parental order parent \(SC4\) - Publications - GOV.UK](#)

Section 5c Statutory Paternity Leave Entitlement and Pay

1. Employees who satisfy the eligibility requirements are entitled to take either one or two consecutive weeks' statutory paternity leave.
2. Odd days cannot be taken.
3. Statutory paternity leave must be taken within 56 days of either:
 - The actual date of birth
 - The expected date of birth if the child is born early
4. Statutory paternity leave can start:
 - From the date of the child's birth or placement (whether this is earlier or later than expected
 - or

- From a chosen number of days or week after the date of the child's birth or placement (whether this is earlier or later than expected)
or
 - From a chosen date
5. Leave can start on any day of the week on or following the child's birth or placement but it must be completed within 56 days from this date.
 6. Only one period of statutory paternity leave will be available irrespective of whether more than one child is born or adopted.
 7. Statutory paternity pay is paid at the same rate as the standard rate of statutory maternity pay effective from April each year.
 8. Statutory paternity pay will be paid for either one or two consecutive weeks as the employee has chosen.
 9. Employees wishing to change the start of your statutory paternity leave must advise the HR Department at least 28 days in advance (unless this is not reasonably practicable).

Section 5d Occupational Paternity Leave and Pay – Probation Grade Staff

1. Occupational (contractual) paternity leave and pay is referred to Maternity Support Leave under NNC provisions
2. Maternity Support Leave of 10 days shall be granted to the child's father, partner or nominated carer of the expectant mother at around the time of birth or placement.
3. Payment during the 10 days maternity support leave will be at normal contractual rate on the basis that this entitlement is subsumed with the statutory paternity leave and pay.
4. Maternity Support Leave must be completed within 56 days of the child's birth,(if he child is born early, within the period from the actual date of birth up to 56 days after the expected week of birth).
5. Only one period of maternity support leave is available irrespective of whether one or more child is born/adopted or it is a multiple birth.
6. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of birth.
7. The notice requirements outlined under the statutory provisions in Section 5b still apply.
8. The employee should also complete a special leave form (which can be found on the PBNI intranet (HR information) and have this approved by their line manager.

9. The special leave form should be submitted to the HR Department along with the SC3/SC4 self-certificate which is required for statutory paternity leave and pay purposes.
10. Employees wishing to change the start of occupational paternity leave must advise the HR Department at least 28 days in advance (unless this is not reasonably practicable).

Section 5e Occupational Paternity Leave and Pay – Administrative Grade Staff

1. If an employee:

- has or expects to have responsibility for the child's upbringing
- is the biological father of the child or the mother's husband or partner
- is the adopter's husband or partner

s/he will be entitled to two days' paternity leave at normal contractual rate of pay irrespective of the hours he/she works or the length of time employed by PBNI.

2. Payment will normally be made for the first two days of paternity leave at the contractual rate of pay and the remainder of the two weeks (as set out under statutory paternity leave and pay) will be paid at the statutory paternity pay rate.
3. Paternity leave can be taken within 56 days of either the actual date of birth or the expected date of birth or actual date of placement.
4. Only one period of paternity leave is available irrespective of whether one or more child is born or adopted at the same time.
5. The notice requirements outlined under the statutory provisions in Section 5b still apply.
6. The employee should also complete a special leave form (which can be found on the PBNI intranet (HR information) and have this approved by their line manager.
7. The special leave form should be submitted to the HR Department along with the SC3/SC4 self-certificate which is required for statutory paternity leave and pay purposes.
8. Employees wishing to change the start of occupational paternity leave must advise the HR Department at least 28 days in advance (unless this is not reasonably practicable).

Section 5f Terms and Conditions during Statutory Paternity Leave

1. During your period of adoption leave, the contract of employment continues and you are entitled to receive all contractual benefits with the exception of salary.

Section 5g Pension – Administrative Grades Only

1. During any periods when receiving statutory paternity pay there is a requirement under the NILGOSC pension regulations to apply Assumed Pensionable Pay (APP).
2. You will pay pension contributions on any pensionable pay received during any periods of statutory paternity pay however PBNI will pay employer contributions on the APP.

Section 6

Shared Parental Leave and Statutory Shared Parental Pay

All Grades of Staff

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Section 6a Introduction

1. The Work and Families (NI) Act 2015 and associated regulations provide an opportunity for parents to take advantage of additional flexibility in the way they choose to care for a new arrival to the family.
2. This guidance is about the statutory entitlement to shared parental leave and pay, available to both parents. It applies to parents of children where the expected week of childbirth begins on or after 5 April 2015 and to adoptions where a child is placed for adoption on or after 5 April 2015, and sets out the rights and responsibilities of employees who wish to take statutory parental leave and pay.
3. The introduction of a new statutory right to shared parental leave and pay does not affect the current arrangements around both statutory and occupational maternity /adoption pay. Eligible employees will still be entitled to PBNI's occupational maternity/adoption leave and pay (which enhances statutory maternity/adoption pay during ordinary maternity leave) in the normal way.
4. All employees who satisfy the eligibility criteria have a statutory right to take shared parental leave. There may also be an entitlement to some statutory shared parental pay.
5. Shared parental leave will enable working parents to share leave in the year after the child's birth or placement for adoption and to take leave in a more flexible way. Eligible parents can take the leave and pay in turns, to overlap or be taken in tandem.
6. Shared parental leave will be created where an eligible mother or adopter brings their maternity or adoption leave to an end early, or commit to ending it at a future date. This is called 'curtailing' maternity or adoption leave. The untaken weeks of maternity or adoption leave can be taken as shared parental leave – up to a maximum of 50 weeks. The maximum amount of statutory shared parental pay that can be taken is 37 weeks.
7. A mother must take at least 2 weeks maternity leave after the birth of her child before maternity leave can be curtailed. An adopter, or the parental order parent of surrogacy, must take 2 weeks adoption leave before it can be curtailed. Similarly, a mother or adopter must take at least 2 weeks statutory maternity or adoption pay.
8. In this guidance:
 - "Mother" means the mother, or expectant mother, of the child
 - "Adopter" means, in relation to the child, the person with whom the child is, or is expected to be, placed for adoption or if a couple has been matched jointly, the member of that couple who has chosen to take statutory adoption leave and/or pay in respect of that child and /or the person who is entitled to receive statutory adoption pay in respect of the child
 - "Partner" means the father of the child, or the person who, at the date of the child's birth/placement for adoption, is married to, the civil partner of, or the partner of the mother/adopter. This includes someone, of either sex, who lives with the

mother/adopter and the child in an enduring family relationship but who is not the mother/adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

9. Shared parental leave and statutory shared parental pay may also be available to parents whose child is born through a surrogacy arrangement if they are entitled to statutory adoption leave and/or statutory adoption pay.
10. Shared parental leave should not be confused with ordinary parental leave, which is not affected by shared parental leave. Ordinary parental leave is the entitlement to up to 18 weeks' unpaid leave. See Section 7 Ordinary Parental Leave.

Section 6b Eligibility to Shared Parental Leave

1. Shared parental leave can only be used by two people. These are as follows:
 - the mother or adopter
and
 - one of the following:
 - i. The father of the child (in the case of birth) or
 - ii. The spouse, civil partner or partner of the child's mother/adopter
2. Both parties **must share the main responsibility for the care of the child** at the time of the birth/placement for adoption.
3. Additionally if you are seeking to take shared parental leave, you must satisfy all of the following criteria:
 - a. The mother/adopter of the child **must** be/have been entitled to statutory maternity leave/adoption leave, or if not entitled to statutory maternity/adoption leave, they **must** be have been entitled to statutory maternity/adoption pay or maternity allowance, and they **must** have given notice to reduce any maternity/adoption entitlements
 - b. You **must** pass the '**continuity of employment test**' which requires you to have been continuously employed for a period of not less than 26 weeks at the end of the 15th week before the expected week of childbirth (or, in the case of adoption, ending with the week in which you were notified of having been matched with the child) and you must still be working for the PBNi at the start of each period of shared parental leave.
 - c. Your partner **must** satisfy the '**employment and earnings test**' requiring them, in the 66 weeks leading up to the expected week of childbirth/matching date, to have worked for at least 26 weeks and have average weekly earnings of at least the maternity allowance threshold in any 13 of those weeks.
 - d. You **must** give proper notification to the HR Department of your entitlement and provide evidence required.

4. For a parental order in a surrogacy arrangement the continuity of employment test is the same which applies to birth parents ie employed continuously for 26 weeks up to and including the 15th week before the week in which the baby is due to be born even though they get adoption leave and pay.

Section 6c Eligibility to Statutory Shared Parental Pay

1. Statutory shared parental pay may be payable during some or all of shared parental leave, depending on the length and timing of the leave. Eligible employees may be entitled to 37 weeks' statutory shared parental pay while taking shared parental leave. The number of weeks available will depend on the amount by which the mother/adopter reduces (curtails) their maternity/adoption pay period or maternity allowance period.
2. In addition to meeting the eligibility requirements for shared parental leave, if you are seeking to claim statutory shared parental pay, you **must** also further satisfy all of the following criteria:
 - a. The mother/adopter **must** be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period
 - b. You **must** intend to care for the child during the week in which statutory shared parental pay is payable
 - c. You **must** have average weekly earnings for the period of 8 weeks leading up to and including the 15th week before the child's expected week of childbirth/matching date of not less than the lower earnings limit in force for national insurance contributions
 - d. You **must** remain in continuous employment until the first week of statutory shared parental pay has begun
 - e. You **must** give proper notification to the HR Department of your entitlement and provide the evidence required. See Section 6e below.

Section 6d Shared Parental Leave Entitlement

1. Eligible employees may be entitled to share up to 50 weeks' shared parental leave with their partner during the child's first year in their family. The number of weeks available is calculated using the mother/adopter's entitlement to maternity/adoption leave, which allows up to 52 weeks' leave.
2. If the mother/adopter reduces their maternity/adoption leave entitlement then they and/or their partner may opt-in to the shared parental leave system and take any remaining weeks as shared parental leave.
3. A mother/adopter may reduce their entitlement to maternity/adoption leave either by returning to work before the full entitlement of 52 weeks has been taken, or by giving

notice to curtail their leave at a specified future date using the “Notice of Entitlement and Intention to take Shared Parental Leave” form (section B of the form - Notice of Curtailment). See Section 6e and Appendix 7. Shared parental leave arises from the number of weeks untaken maternity or adoption leave.

4. If the mother/adopter is not entitled to maternity/adoption leave but is entitled to statutory maternity pay (SMP), statutory adoption pay (SAP) or maternity allowance (MA), they must reduce their entitlement to less than the 39 weeks. If they do so, their partner may be entitled to shared parental leave. This is calculated by deducting from 52 the number of weeks SMP, SAP or MA taken by the mother/adopter.
5. Shared parental leave can commence as follows:
 - a. The mother can take shared parental leave after she has taken the compulsory two week maternity leave period immediately following the birth of the child.
 - b. The adopter can take shared parental leave after taking at least two weeks’ adoption leave.
 - c. The partner can take shared parental leave immediately following the birth/placement of the child, *but may choose to exhaust any paternity leave entitlements first*. The partner cannot take paternity leave or pay after they have taken any shared parental leave or statutory parental pay. See Section 5 on Paternity Leave.
6. In summary, if the mother/adopter and partner meet the eligibility criteria, and provided the mother/adopter has given notice to curtail their maternity/adoption entitlements on a future date, the mother/adopter can effectively “convert” a period of maternity/adoption leave and pay into shared parental leave and shared parental pay.
7. Shared parental leave can be taken as follows:
 - a. The mother/adopter’s partner can take shared parental leave while the mother/adopter is still using their maternity/adoption entitlements
 - b. The partner can take shared parental leave concurrently with the mother/adopter
 - c. The partner’s shared parental leave can overlap with the mother/adopter’s shared parental leave
 - d. The mother/adopter and partner can decide to ‘take turns’ and have separate periods of shared parental leave
 - e. Only one period of shared parental leave and pay can be allocated in the event of multiple births or multiple adoptions in the same time period
 - f. Shared parental leave may be taken at any time within the period which begins on the date the child was born or placed or adoption and ends 52 weeks after that date

- g. Any shared parental leave not taken by the first birthday or first anniversary of placement for adoption is lost.
8. If you are eligible to receive statutory share parental pay, it will be paid for some, or all, of the shared parental leave period.

Section 6e Statutory Shared Parental Pay Entitlement

1. The mother/adopter must take a minimum of two weeks maternity leave/adoption leave following the birth/placement for adoption.
2. Excluding the first weeks above this leaves a maximum of 37 weeks statutory shared parental pay which can be shared between both parents.
3. Statutory shared parental pay (ShPP) is paid at the statutory level designated in April each year.
4. ShPP is the same rate as Statutory Maternity Pay (SMP) except that during the first six weeks SMP is paid at 90 per cent of whatever you earn (**with no maximum**)
5. ShPP is the same rate as SMP or 90 per cent of average weekly earnings, **whichever is lower**.
6. A maximum of 50 weeks shared parental leave can be taken. This means that if the full entitlement to SPL is taken 13 weeks will be unpaid (50 weeks minus 37 paid).

Section 6f Notice of Entitlement and Intention to take Shared Parental Leave

7. If you are considering taking shared parental leave, you are encouraged to contact your line manager to arrange an informal discussion as early as possible to talk about your plans.
8. There are a number of key notices which trigger rights under the shared parental leave regulations, each of them require 8 weeks' notice to be provided. They may be issued separately or all at once, these are:
 - a. Curtailment Notice
 - b. Notice of Entitlement and Intention
 - c. Declarations of Consent and Entitlement
 - d. Booking Notice
9. If you are entitled to, and intend to take, shared parental leave, you must give the HR Department written notice of your entitlement and intention to take shared parental leave at least 8 weeks before the start of the first period of leave that you wish to take, by using the "Notice of Entitlement and Intention to take Shared Parental Leave" form. See Appendix 7.

10. This notice must set out:

- a. Your name
- b. The name of the other parent
- c. The start and end dates of any maternity/adoption leave taken by the mother/adopter in respect of the child (or, where the mother/adopter is not entitled to maternity/adoption leave, the start and end date of SMP, MA or SAP)
- d. The total amount of shared parental leave available to be taken
- e. The child's expected week of birth and the actual date of birth or, in the case of an adopted child, the child's expected date and actual date of placement date
- f. The total amount of shared parental leave you and your partner each intend to take
- g. A non-binding indication of when you intend to take the leave, including start and end dates for each period of leave.

11. This notice must be accompanied by a signed declaration stating:

- a. That you meet, or will meet, the individual eligibility conditions and are entitled to take shared parental leave
- b. That the information you have given is accurate
- c. If you are not the mother/adopter, that you are either the father of the child or the spouse, civil partner or partner of the mother/adopter
- d. That if you cease to be eligible you will immediately inform the HR Department.

12. You must also provide HR Department with a signed declaration from your partner confirming:

- a. Their name, address and national insurance number (or declaration that they do not have a national insurance number)
- b. That they are the mother/adopter of the child or they are the father of the child or are the spouse, civil partner or partner of the mother/adopter
- c. That they satisfy the "employment and earnings test", and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with you
- d. That they consent to the amount of shared parental leave that you intend to take
- e. That they consent to the HR Department processing the information contained in the declaration
- f. (Where your partner is the mother/father) that they will immediately inform you should they cease to satisfy the eligibility conditions.

Section 6g Supplementary Evidence of Eligibility

1. The HR Department may, within 14 days of the shared parental leave entitlement notice, request the following:
 - In the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration confirming the time and place of the birth)
 - In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which you were notified of having been matched for adoption with the child and the date on which the agency expects to place the child with the adopter
2. In order to be entitled to shared parental leave, you must produce this within 14 days of the request from the HR Department.

Section 6h Notice of Entitlement and Intention to take Shared Parental Pay

1. Where you are entitled to receive statutory shared parental pay, you must give the HR Department written notice advising of your entitlement to statutory shared parental pay at least 8 weeks before receiving any shared parental pay using the relevant Notice of Entitlement and Intention to Take Shared Parental Leave form. If possible, this should be included when giving notice of your entitlement to take shared parental leave.
2. Any notice that advises of an entitlement to statutory shared parental leave must include:
 - a. The start and end dates of any maternity/adoption pay or maternity allowance
 - b. The total amount of shared parental pay available, the amount of shared parental pay you and your partner each intend to claim, and a non-binding indication of when you expect to claim shared parental pay
 - c. A signed declaration from you confirming that the information you have given is correct, that you meet, or will meet, the criteria for shared parental pay and that you will immediately inform the HR Department should you cease to be eligible.
3. The notice must be accompanied by a signed declaration from your partner confirming:
 - a. Their agreement to you claiming shared parental pay and for the organisation to process any shared parental pay payments to you
 - b. Where your partner is the mother/adopter that they have reduced their maternity/adoption pay or maternity allowance
 - c. Where your partner is the mother/adopter that they will immediately inform you should they cease to satisfy the eligibility conditions.
4. The required content of the shared parental pay notice and the accompanying declaration have been incorporated into the "Notice of Entitlement and Intention to take Shared Parental Leave form. See Appendix 7.

Section 6i Booking Shared Parental Leave

1. In addition to notifying the HR Department of your entitlement to shared parental leave, you must also give notice to take the leave. In many cases notice will be given at the same time as the notice of entitlement to shared parental leave.
2. Before any shared parental leave or shared parental pay can be taken, maternity/adoption leave and pay must have ended or there must be a commitment to bring the maternity/adoption leave and pay to an end at a later date.
3. You must book shared parental leave by giving notice to the HR Department at least 8 weeks before the date on which you wish to start the leave and (if applicable) receive shared parental pay. You must do so by using the “Shared Parental Leave Booking” form. See Appendix 8.
4. If you are eligible for shared parental leave, you have the right to submit a maximum of 3 notifications specifying leave periods you are intending to take (or variations to booked leave). See 6j below.
5. Shared parental leave can only be taken in complete weeks but may begin on any day of the week. For example, if a week of shared parental leave begins on a Tuesday, it will finish on a Monday.
6. Where a booking notice notifies of single continuous block of leave, the employee has a right to that leave on the dates notified.
7. If a booking notice requests leave in discontinuous blocks, an employer is entitled to require all the weeks of the leave to be taken in a single block.

So if, for example, an employee gives a booking notice to take 12 weeks of shared parental leave in a single block, but in a discontinuous pattern, taking every other week off for the next 24 weeks, the employee has the right to 12 weeks leave, but he/she does not have the right to the pattern of leave proposed in the booking notice.

An employee can only take a pattern of discontinuous leave if their employer agrees.

8. When the HR Department receives the shared parental leave booking notice, it will be dealt with as soon as possible and a response normally provided no later than the 14th day after the leave request was made. All notices will be confirmed in writing.

Section 6j Changing or Cancelling Shared Parental Leave

1. You are permitted to vary or cancel a booked period of shared parental leave, provided you advise the HR Department in writing at least 8 weeks before the date of variation. This must be done using the “Shared Parental Leave Booking” form. See Appendix 8. Any new start date cannot be sooner than 8 weeks from the date of the variation request.

2. Any variation or cancellation notification made by you, including notice to return to work early, will count as a new notification and will reduce your right to book/vary leave by one. See 6i paragraph 4 above.
3. A change as a result of a child being born early, or as a result of your line manager requesting a booked period of shared parental leave be changed, and you being agreeable to this change, will not count as a further notification. Any variation will be confirmed in writing.

Section 6k Contact during Shared Parental Leave

5. Your line manager may make reasonable contact with you from time to time while you are on shared parental leave in order, for example, to keep you informed of developments at the workplace or to discuss arrangements for your return to work.
6. What constitutes “reasonable” contact will vary according to the circumstances. You may prefer to keep such contact to a minimum or you may not mind frequent contact.
7. Therefore before shared parental leave begins you should discuss arrangements for staying in touch with your line manager.
8. You should also discuss the process for agreeing to work SPLIT days with your line manager. See 6L below.

Section 6L Shared Parental Leave in Touch Days (SPLIT days)

1. SPLIT days are similar to keeping in touch (KIT) days associated with maternity and adoption leave.
2. There are 20 days allocated to SPLIT days. You can agree to work for up to 20 days during shared parental leave without bringing the period of shared parental leave to an end or impacting on your right to claim shared parental pay for that week.
3. Although you may work a maximum of 20 SPLIT days, these need not be worked on consecutive days and working or part of a day will count as one of the 20 days.
4. Any SPLIT days worked do not extend the shared parental leave.
5. For the purposes of SPLIT arrangements, work means any work done for the employer and may include training or any activity undertaken by you for the purposes of keeping in touch with the workplace. For example, this could be to attend a team meeting, a training event or conference.
6. Any SPLIT days worked under this provision must be in agreement with you. The employer has no right to demand that any such SPLIT day is worked, nor have you any right to work a SPLIT day.
7. In PBNI you may be contacted by the HR Department for the purposes of SPLIT days that may take place during your shared parental leave.

8. You should therefore complete the SPLIT day form (see appendix 10) confirming whether or not you wish to be contacted during your shared parental leave for the purposes of SPLIT days.

Section 6m Payment for SPLIT days worked

6. The payment of statutory shared parental pay is not affected by working any of the 20 permitted SPLIT days. Therefore if you work a SPLIT day, you will continue to receive any statutory shared parental pay that is due for that day.
7. Where you are entitled to additional payment this will be paid at basic pay.
8. Although working for part of a day will count as one of the 20 SPLIT days, any entitlement of payment will be calculated using the net hours actually worked.
9. The total of statutory shared parental pay and any additional payment due for working a SPLIT day will not exceed your contractual daily rate of pay. In practice this means:
 - d. If you work a SPLIT day while receiving statutory parental pay you will receive payment for the net hours actually worked at your normal contractual rate of pay, in addition to statutory shared parental pay, within the overall limit of your contractual daily rate of pay
 - e. If you work a SPLIT day while on unpaid shared parental leave, you will receive your contractual rate of pay for the net hours you work.

Section 6n Return to work after shared parental leave

1. The HR Department will advise you in writing of the end date of any period of shared parental leave.
2. Unless otherwise notified you will be expected to return to work on the next working day after the end date of shared parental leave.
3. See Section 1n below with regard to annual leave.
4. If you are unable to return to work due to sickness, the normal provisions for occupational sick pay will apply.
5. In any other case, late return without prior authorisation will be treated as unauthorised absence.
6. If you wish to return to work earlier than the expected return date, you may provide written notice to vary the leave and must give at least 8 weeks' notice in writing of the date of early return, using the "Shared Parental Leave Booking" form. See Appendix 8. This will count as one of the three notifications mentioned in 6i.

Section 6o Annual Leave

1. Annual leave continues to accrue during any period of shared parental leave and is granted in addition to any period of shared parental leave.
2. Annual leave may be taken either before, between or directly following shared parental leave.
3. Section C of the “Notice of Entitlement and Intention to take Shared Parental Leave” form includes a part which should be completed to indicate any anticipated annual leave you intend to take.
4. You should seek approval for any annual leave from your line manager.

Section 6p Special circumstances and statutory obligations

1. In certain circumstances the rights and requirements regarding shared parental leave and shared parental pay may change. These include:
 - a. Early birth
 - b. Partner no longer caring for the child
 - c. Death of a child before or during birth, or within the first year
 - d. Death of a parent during the child’s first year
2. In these circumstances, or indeed any other circumstances not covered within these guidelines, the PBNI will abide by any statutory obligations.
3. You are advised to contact the HR Department as soon as reasonable practicable so that advice and guidance can be provided.

Section 6q Terms and conditions of service during shared parental leave

1. During the period of shared parental leave, the contract of employment continues and you are entitled to receive all contractual benefits with the exception of salary.

Section 6r Pension

8. During any periods of reduced contractual pay or when receiving statutory shared parental pay there is a requirement under the NILGOSC pension regulations to apply Assumed Pensionable Pay (APP).
9. You will pay pension contributions on any pensionable pay received during any periods of reduced contractual pay or statutory shared parental pay however PBNI will pay employer contributions on the APP.

10. APP does not apply to any periods of unpaid statutory shared parental leave and you will not be building up pension during that period.
11. You can, on your return to work, buy back the amount of pension you lost during a period of unpaid shared parental leave, by paying Additional Pension Contributions (APCs).
12. Buying back the whole of the lost pension will ensure the period of leave of absence on no pay, is included when calculating certain protections due under the scheme if you were a member of the scheme before 1 April 2015.
13. If you wish to buy back lost pension PBNi will meet 2/3rds of the cost provided you make an election to do so whilst you are an active member of the pension scheme and **within** 30 days of returning to work after the period of absence. N.B. the 30 day period starts immediately after your period of unpaid leave has ended, regardless of whether or not you physically return to work. So for example if you take a period of annual leave directly following a period of unpaid shared parental leave, the 30 day period will begin from the day immediately following your unpaid shared parental leave (including weekends).
14. If you make an election 30 days **after** your unpaid shared parental leave, and whilst still an active member, you can still buy back the amount of lost pension, but it will be at whole cost to you.

Section 7

Ordinary Parental Leave

All Grades

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Section 7a Introduction

1. Ordinary Parental leave is a statutory entitlement which offers qualifying parents the right to take unpaid time off work to look after their child or make arrangements for their welfare.
2. Parents can use parental leave to spend more time with their children and strike a balance between work and family commitments.
3. The reasons for the leave need not be connected with the child's health.
4. Caring for a child does not necessarily mean being with the child 24 hours a day.
5. Examples of the way parental leave may be used include:
 - Straight after maternity, paternity or adoption leave
 - Spending more time with your child in the early years
 - Time with a child during a stay in hospital
 - Looking at new schools
 - Setting your child into new childcare arrangements
 - Allowing the family to spend more time together, for example, taking a child to stay with grandparents.
6. Ordinary Parental leave should not be confused with Statutory Shared Parental Leave which is a new entitlement available to parents whose baby is due or child is being placed for adoption on or after 5 April 2015. See Section 6. Ordinary Parental leave is a separate entitlement in addition to Statutory Shared Parental Leave.

Section 7b Eligibility to Parental Leave

1. Employees are entitled to parental leave if they:
 - have at least one year's continuous service with PBNI as your employer
 - have a child under the age of 18
 - have, or expect to have, parental responsibility for the child
2. The HR Department may, at their discretion, require you to produce evidence:
 - The child's birth certificate
 - Papers confirming the child's adoption or the date the placement began.
 - Confirmation of disability living allowance for a child
3. If you are separated and you don't live with the children, you have the right to parental leave if you keep parental responsibility for the children.
4. Foster parents do not have rights to parental leave.
5. The right to parental leave applies to each child. Therefore if an employee has twins they are entitled to 36 weeks' parental leave.

Section 7c Parental Leave Entitlement

1. If you are eligible to take parental leave you may take 18 weeks' unpaid leave in respect of each child up to the child's 18th birthday.
2. Both mothers and fathers can take the full entitlement to parental leave for each child.
3. It is an individual right and cannot be transferred between parents. For example, a father cannot decide to take 10 weeks and a mother take 26 weeks.
4. The 18 week entitlement applies to each child, not to an individual employment. Therefore, if for example, you take 8 weeks parental leave with a previous employer, then you are only entitled to 10 weeks while in your employment with PBNI. You must also have the completed one year's service to qualify.
5. Under your contract of employment, the period you are normally required to work is counted as one week for parental leave purposes. For example if you work Monday to Friday the five days is equal to one week, and if you work part-time Monday to Wednesday this is equal to one week.
6. The regulations entitle parents to take leave in blocks of one week or more (or one day or more for parents of disabled children).
7. The maximum amount of parental leave in any one year is four weeks in respect of any individual child. Therefore a parent with two children can take 8 weeks in any one year.
8. Subject to operational needs, at the discretion of direct line management, parental leave may be taken in multiples of one day.
9. Employees should initially discuss any requests for parental leave with their manager.
10. Requests for parental leave should be submitted to the HR Department giving at least 21 days' notice using the Parental Leave Form (see Appendix 11).
11. Where 21 days' notice is not reasonably practicable, leave may nevertheless be granted at line management discretion and subject to operational needs.

Section 7d Postponement of Parental Leave

1. Applications for parental leave will be treated sympathetically to help staff balance their work and home lives. However, as with all requests for leave, there may be occasions when it is necessary to postpone parental leave.
2. Parental leave may therefore be postponed for up to six months from the date on which the period of leave, originally requested by the employee, would have commenced if line management considers that the operation of business would be unduly disrupted if the leave were to be taken at the time requested.

3. Your line manager will discuss the postponement with you. The manager will then confirm (on the Parental Leave Request form - see section 7c) the reason for the postponement and will specify the dates on which the postponed period of leave will begin and end.
4. Parental leave will not be lost, if solely as a result of postponement, the child reaches the age threshold of 18.
5. Leave will not be postponed if you have given notice to take it immediately after a child is born or placed with the family for adoption.

Section 7e Annual Leave Entitlement

1. Annual leave does not accrue during periods of unpaid parental leave and the HR Department will therefore calculate a pro rata reduction in annual leave entitlement as appropriate.

Section 7f Terms and Conditions during Parental Leave

1. During your period of parental leave, the contract of employment continues and you are entitled to receive all contractual benefits with the exception of salary and annual leave as set out above.

Section 7g Pension

1. During any periods of reduced contractual pay or during relevant child related leave eg maternity/adoption/paternity leave there is a requirement under the NILGOSC pension regulations to apply Assumed Pensionable Pay (APP).
2. However APP does not apply to any periods of authorised unpaid leave. As parental leave is unpaid you will not be building up pension during that period.
3. You can, on your return to work, buy back the amount of pension you lost during a period of unpaid parental leave, by paying Additional Pension Contributions (APCs).
4. Buying back the whole of the lost pension will ensure the period of leave of absence on no pay, is included when calculating certain protections due under the scheme if you were a member of the scheme before 1 April 2015.
5. If you wish to buy back lost pension PBNi will meet 2/3rds of the cost provided you make an election to do so whilst you are an active member of the pension scheme and **within** 30 days of returning to work after the period of absence. N.B. the 30 day period starts immediately after your period of unpaid leave has ended, regardless of whether or not you physically return to work. So, for example, if you take a period of annual leave directly following a period of unpaid adoption leave, the 30 day period will begin from the day immediately following your unpaid adoption leave (including weekends).
6. If you make an election 30 days **after** your unpaid parental leave, and whilst still an active member, you can still buy back the amount of lost pension, but it will be at whole cost to you.

APPENDICES

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.qsi.gov.uk

ORDINARY MATERNITY LEAVE FORM - PROBATION GRADE STAFF

Please complete both forms, return one copy with Form MatB1 which is issued by your doctor or midwife at approximately 21-26 weeks in pregnancy, while retaining the other for your own information.

Name Grade

Address

Start date with PBNI Current Location

Please complete either Section A or B

SECTION A

My expected date of childbirth (EDC) is and I wish to confirm that my

Ordinary Maternity Leave will commence on

I intend to return to work after the birth of my baby and I undertake to repay to the Probation Board, any salary or wages paid to me in respect of the 12 weeks maternity leave at half pay, less the amount of any statutory maternity pay (SMP) to which I am entitled, if I do not return and complete at least three month's paid service.

Signature Date

SECTION B

My expected date of childbirth (EDC) is and I wish to confirm that my

Ordinary Maternity Leave will commence on

I shall be leaving PBNI and do not intend to return to work for the Probation Board for Northern Ireland following my period of ordinary maternity leave.

Signature Date

NOTE: Staff can avail of 26 weeks additional maternity leave (AML) following ordinary maternity leave (OML). The Human Resources Department will contact you during your OML to enquire about any further leave arrangements and a return to work date.

You may also avail of Shared Parental Leave and Pay – See Section 6 of Family Friendly Policies Booklet

SECTION C

KEEPING IN TOUCH (KIT) DAYS

Under the Maternity and Parental Leave Regulations 10 'Keeping in Touch' (KIT) days are permitted during maternity leave.

The purpose of Keeping in Touch days is to allow the employee to keep up to date with work changes, undergo training or simply to take on normal work.

It is not mandatory for employers to offer KIT days *nor* for employees to accept them if offered.

Please indicate below whether or not you wish to be contacted about possible KIT days during your maternity leave.

Should you give your permission normal salary will be paid for any attendance at work within the limits of overall contractual daily pay.

I do not wish to be contacted during my maternity leave for the purposes of any KIT days.

Signature

Date

I do wish to be contacted during my maternity leave for the purposes of any KIT days.

Signature

Date

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.qsi.gov.uk

ORDINARY MATERNITY LEAVE FORM - ADMINISTRATIVE GRADE STAFF

Please complete both forms, return one copy with Form MatB1 which is issued by your doctor or midwife at approximately 21-26 weeks in pregnancy, while retaining the other for your own information.

Name Grade

Address

Start date with PBNI Current Location

Please complete either Section A or B

SECTION A

My expected date of childbirth (EDC) is and I wish to confirm that my

Ordinary Maternity Leave will commence on

I intend to return to work after the birth of my baby and I undertake to repay to the Probation Board, any salary or wages paid to me in respect of the period of maternity leave, less the amount of any statutory maternity pay (SMP) to which I am entitled, if I do not return and complete a further one month's paid service.

Signature Date

SECTION B

My expected date of childbirth (EDC) is and I wish to confirm that my

Ordinary Maternity Leave will commence on

I shall be leaving PBNI and do not intend to return to work for the Probation Board for Northern Ireland following my period of ordinary maternity leave.

Signature Date

NOTE: You can avail of 26 weeks additional maternity leave (AML) following ordinary maternity leave (OML). The Human Resources Department will contact you during your OML to enquire about any further leave arrangements and a return to work date.

You may also avail of Shared Parental Leave and Pay – See Section 6 of Family Friendly Policies Booklet.

SECTION C

KEEPING IN TOUCH (KIT) DAYS

Under the Maternity and Parental Leave Regulations 10 ‘Keeping in Touch’ (KIT) days are permitted during maternity leave.

The purpose of Keeping in Touch days is to allow the employee to keep up to date with work changes, undergo training or simply to take on normal work.

It is not mandatory for employers to offer KIT days *nor* for employees to accept them if offered.

Please indicate below whether or not you wish to be contacted about possible KIT days during your maternity leave.

Should you give your permission normal salary will be paid for any attendance at work within the limits of overall contractual daily pay.

I do not wish to be contacted during my maternity leave for the purposes of any KIT days.

Signature Date

I do wish to be contacted during my maternity leave for the purposes of any KIT days.

Signature Date

Probation Board for Northern Ireland
Human Resources Department
80-90 North Street
Belfast, BT1 1LD
T: 02890262441 Email: hr@pbni.gsi.gov.uk

MATERNITY LEAVE – INTENT TO RETURN TO WORK FORM

Please complete section A and **either** section B or C as appropriate
and return to the Human Resources Department within 5 weeks from receipt.

Section A

Name Location

My baby boy/girl was born on

My period of Ordinary Maternity Leave was from to

Section B

I do not intend to return to work following my period of Ordinary Maternity Leave as I wish to:

*Take Additional Maternity Leave from to

(and/or)

Apply for annual leave from to

I intend to return to work on

Signature Date

*Please note that additional maternity leave is made up of 13 weeks SMP and 13 weeks unpaid.
Staff must seek approval for annual leave from their line manager.

Section C

I intend to return to work directly following my Ordinary Maternity Leave and therefore

(Please tick)

I do not wish to avail of Additional Maternity Leave

I do not wish to apply for annual leave

I intend to return to work on

Signature Date

Please note you may also avail of Shared Parental Leave and Pay – See Section 6 of Family Friendly Policies Booklet.

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| Probation Board for Northern Ireland HR Department 80-90 North Street, Belfast, BT1 1LD T: 02890262441 E-mail: hr@pbni.qsi.gov.uk |
|--|

ORDINARY ADOPTION LEAVE FORM - PROBATION GRADE STAFF

Name Grade

Address

Start date with PBNI Current Location

Please note that ordinary adoption leave **cannot start sooner** than 14 days before placement.

Please complete both forms, **return one copy with the matching certificate** provided by the adoption agency.

Please complete either Section A or B

SECTION A

The expected date of placement is and I wish to confirm that my

Ordinary Adoption Leave will commence on

I intend to return to work after my adoption leave and I undertake to repay to the Probation Board, any salary or wages paid to me in respect of the 12 weeks adoption leave at half pay, less the amount of any statutory adoption pay (SAP) to which I am entitled, if I do not return and complete at least three month's paid service.

Signature Date

SECTION B

The expected date of placement is and I wish to confirm that my

Ordinary Adoption Leave will commence on

I shall be leaving PBNI and do not intend to return to work for the Probation Board for Northern Ireland following my period of ordinary adoption leave.

Signature Date

NOTE: Staff can avail of 26 weeks additional adoption leave (AAL) following ordinary adoption leave (OAL). The Human Resources Department will contact you during your OAL to enquire about any further leave arrangements and a return to work date.

You may also avail of Shared Parental Leave and Pay – See Section 6 of Family Friendly Policies Booklet

SECTION C

KEEPING IN TOUCH (KIT) DAYS

Under the Paternity and Adoption Leave (Amendment) Regulations (NI) 2006, 10 'Keeping in Touch' (KIT) days are permitted during adoption leave.

The purpose of Keeping in Touch days is to allow the employee to keep up to date with work changes, undergo training or simply to take on normal work.

It is not mandatory for employers to offer KIT days *nor* for employees to accept them if offered.

Please indicate below whether or not you wish to be contacted about possible KIT days during your adoption leave.

Should you give your permission normal salary will be paid for any attendance at work within the limits of overall contractual daily pay.

I do not wish to be contacted during my adoption leave for the purposes of any KIT days.

Signature Date

I do wish to be contacted during my adoption leave for the purposes of any KIT days.

Signature Date

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.qsi.gov.uk

ORDINARY ADOPTION LEAVE FORM - ADMINISTRATIVE GRADE STAFF

Name Grade

Address

Start date with PBNI Current Location

Please note that ordinary adoption leave **cannot start sooner** than 14 days before placement.

Please complete both forms, **return one copy with the matching certificate** provided by the adoption agency.

Please complete either Section A or B

SECTION A

The expected date of placement is and I wish to confirm that my

Ordinary Adoption Leave will commence on

I intend to return to work after the birth of my baby and I undertake to repay to the Probation Board, any salary or wages paid to me in respect of the period of maternity leave, less the amount of any statutory maternity pay (SMP) to which I am entitled, if I do not return and complete a further one month's paid service.

Signature Date

SECTION B

The expected date of placement is and I wish to confirm that my

Ordinary Adoption Leave will commence on

I shall be leaving PBNI and do not intend to return to work for the Probation Board for Northern Ireland following my period of ordinary adoption leave.

Signature Date

NOTE: Staff can avail of 26 weeks additional adoption leave (AAL) following ordinary adoption leave (OAL). The Human Resources Department will contact you during your OAL to enquire about any further leave arrangements and a return to work date.

You may also avail of Shared Parental Leave and Pay – See Section 6 of Family Friendly Policies Booklet

SECTION C

KEEPING IN TOUCH (KIT) DAYS

Under the Paternity and Adoption Leave (Amendment) Regulations (NI) 2006, 10 'Keeping in Touch' (KIT) days are permitted during adoption leave.

The purpose of Keeping in Touch days is to allow the employee to keep up to date with work changes, undergo training or simply to take on normal work.

It is not mandatory for employers to offer KIT days *nor* for employees to accept them if offered.

Please indicate below whether or not you wish to be contacted about possible KIT days during your adoption leave.

Should you give your permission normal salary will be paid for any attendance at work within the limits of overall contractual daily pay.

I do not wish to be contacted during my adoption leave for the purposes of any KIT days.

Signature Date

I do wish to be contacted during my adoption leave for the purposes of any KIT days.

Signature Date

Probation Board for Northern Ireland
Human Resources Department
80-90 North Street
Belfast, BT1 1LD
T: 02890262441 Email: hr@pbni.gsi.gov.uk

ADOPTION LEAVE – INTENT TO RETURN TO WORK FORM

Please complete section A and **either** section B or C as appropriate
and return to the Human Resources Department within 5 weeks from receipt.

Section A

Name Location

Placement of the Adopted child(ren) took place on

My period of Ordinary Adoption Leave was from to

Section B

I do not intend to return to work following my period of Ordinary Adoption Leave as I wish to:

*Take Additional Adoption Leave from to

(and/or)

Apply for annual leave from to

I intend to return to work on

Signature Date

*Please note that additional adoption leave is made up of 13 weeks SAP and 13 weeks unpaid.
Staff must seek approval for annual leave from their line manager.

Section C

I intend to return to work directly following my Ordinary Adoption Leave and therefore

(Please tick)

I do not wish to avail of Additional Adoption Leave

I do not wish to apply for annual leave

I intend to return to work on

Signature Date

Please note you may also avail of Shared Parental Leave and Pay – See Section 6 of Family Friendly Policies Booklet.

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.qsi.gov.uk

Notice of Entitlement and Intention to take Shared Parental Leave Form

This form should be completed by members of staff with a child due to be born or adopted on or after 5 April 2015 to indicate their intention to take Shared Parental Leave (SPL) to share the caring responsibilities for the child.

The form provides PBNI with an early indication of your intentions for consideration and **must be submitted at least 8 weeks** prior to the start of date of your first period of SPL along with the curtailment notice (included in this form) which effectively brings a period of maternity leave or adoption leave to an end so that SPL can be taken and shared between the parents.

If the member of staff is not the mother/adopter, their partner will be required to submit a curtailment notice to their own employer.

Please refer to the guidelines on shared parental leave and statutory shared parental pay set out in the booklet on Family Friendly Policies before completing this form. You may also seek advice from the HR business partner for your team.

You should also discuss with your line manager before submitting this form to the HR Department.

Section A

| | | | |
|--|--|-------|--|
| Name | <input style="width: 95%;" type="text"/> | Grade | <input style="width: 95%;" type="text"/> |
| Current Location | <input style="width: 95%;" type="text"/> | | |
| State if you are the mother/main adopter or the partner of the mother/main adopter | <input style="width: 95%;" type="text"/> | | |
| Name of other parent | <input style="width: 95%;" type="text"/> | | |
| Child's expected date of birth/date of placement for adoption | <input style="width: 95%;" type="text"/> | | |
| Child's actual date of birth/date of placement for adoption (if known) | <input style="width: 95%;" type="text"/> | | |
| Start date of mother/main adopter's maternity/adoption leave (or pay period*) | <input style="width: 95%;" type="text"/> | | |
| End date of mother/main adopter's maternity/adoption leave (or pay period*) | <input style="width: 95%;" type="text"/> | | |

*If the mother/main adopter is not entitled to maternity /adoption leave, state the start and end dates of maternity/adoption pay or the maternity allowance period.

Section B Notice of Curtailment of Maternity/Adoption Leave

Please complete this section of the Form if you are the mother or main adopter. The curtailment notice effectively brings the maternity/adoption leave to an end in order for SPL to be taken. You must take into account that a minimum of 2 weeks compulsory maternity leave/adoption leave must be taken by the mother/main adopter.

You must provide 8 weeks' notice of your curtailment date.

I wish my maternity/adoption leave to end on the following date:

Signature: Date:

Section C Shared Parental Leave Details

Please check the eligibility requirements in the Shared Parental Leave Section of the Family Friendly Policies Booklet.

This section of the form is intended for you to indicate how you and the other parent (if eligible) would like to take the remaining weeks of leave, once some of the 52 weeks of maternity or adoption leave have been taken and then curtailed.

For example, if the mother takes 18 weeks of the maternity leave, there will be 34 weeks remaining to share between eligible parents.

This is an indication at this stage and does not become binding unless you intend it to be, in which case you should submit the Shared Parental Leave Booking Form.

Total number of weeks SPL available (52 weeks minus the amount already taken or intended to be taken)

Total number of weeks you (the employee) intend to take

Total number of weeks the other parent intends to take

Indication of the start and end dates of SPL that you (the employee) intend to take. These dates can overlap with your partner's leave as long as the total 52 week period is not extended, any SPL not taken in that period will be lost

Please indicate if you anticipate adding any annual leave and/or ordinary parental leave to indicated periods of SPL.

As set out above indications are non-binding. You must submit a formal leave of notice (SPL booking notice) for each period of SPL you wish to be binding.

Section D Shared Parental Pay Details

Please check eligibility requirements for Statutory Shared Parental pay (ShPP) in the Shared Parental Leave Section of the Family Friendly Policies Booklet.

This section of the form is intended for you to indicate how you and the other parent (if eligible) would like to claim the remaining weeks of pay, once some of the 39 weeks of maternity or adoption pay have been taken and then curtailed.

For example, if the mother takes 18 weeks maternity pay, there will be 21 weeks remaining to share between eligible parents.

This is an indication at this stage and does not become binding unless you intend it to be, in which case you should submit the Shared Parental Leave Booking Form.

| | |
|---|----------------------|
| Total number of ShPP available | <input type="text"/> |
| Total number of weeks ShPP you (the employee) intends to claim | <input type="text"/> |
| Total number of weeks ShPP the other parent intends to claim | <input type="text"/> |
| Indication of the start and end dates of your (the employee) ShPP periods | <input type="text"/> |

Section E Employee Declaration

I confirm that I have read the guidelines on Shared Parental Leave and Pay and believe that I am entitled to Shared Parental Leave and/or Pay. I confirm that:

- I am the mother, father or main adopter or the partner of the mother, father or main adopter of the child due to be born or adopted on or after 5th April 2015
- I have (and share) the responsibility for the care of the child and intend to take SPL in order to care for the child
- I have at least 26 weeks' continuous service at the 15th week before the expected week of childbirth (or the week in which the main adopter was notified of having been matched for adoption of the child) - known as the 'relevant week'.
- I intend to be in continuous employment until the week before the SPL is taken
- (If I am claiming ShPP) I have average weekly earnings equal to or above the lower earnings limit for NI contributions over the 8 week period ending with the relevant week
- I agree to inform PBNI (HR Department) immediately if I cease to meet the eligibility requirements for SPL or ShPP
- I understand that I may be required to produce a copy of the birth certificate/adoption documents and the name, address and contact details of the other parent's employer
- The information submitted above is correct.

If you are the mother/main adopter:

- I have submitted a curtailment of maternity /adoption leave notice by completing Section B.

Signature:

Date:

Section F Declaration of Other Parent

Name:

Address:

National Insurance Number:

Employers' name and address and contact details.

Please indicate if you are an office holder or self-employed and the nature of the employment.

I confirm that I meet the following conditions:

- I am the mother, father or main adopter or the partner of the mother, father or main adopter of the child due to be born or adopted on or after 5th April 2015
- I have (and share) the responsibility for the care of the child and intend to take SPL in order to care for the child
- I have at least 26 week's employment (employed or self-employed) out of 66 weeks prior to the relevant week (see definition of relevant week in section E of this form)
- I have average weekly earnings of at least the maternity allowance threshold during any 13 of the 66 weeks prior to the relevant week
- I agree to inform your employee immediately if I cease to meet the two conditions above
- I consent to your employee taking SPL and ShPP as set out in Section C and D above
- I consent to providing details of my employer and for them to be contacted to confirm dates and eligibility.

If you are the mother/main adopter:

- I have curtailed my maternity leave and pay/adoption leave and pay/maternity allowance or will have done so by the time your employee commences SPL
- I consent to you processing the information contained in this declaration.

Signature:

Date:

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.gsi.gov.uk

Shared Parental Leave Booking Form (Notice to take or vary a period of shared parental leave)

Please return this form to the HR Department if you wish to request a period of shared parental leave/shared parental pay, or to vary a previously approved period.

You must also discuss any arrangements with your line manager before completing this form. See also “Notice of Entitlement and Intention to take Shared Parental Leave Form” – Appendix 7 of the Family Friendly Policies Booklet.

You must have submitted the “Notice of Entitlement and Intention to Take Shared Parental Leave” form and a Curtailment Notice must have been issued (contained within the form) if the employee is the mother/main adopter.

You **must** give **at least 8 weeks’ notice** of the start of the leave.

Please ensure when you complete this form that there have been no changes to your eligibility as defined in the Shared Parental Leave guidance. Both parents are required to sign the declaration at the end of this form.

You only have the right to submit a maximum of 3 notifications specifying leave periods you are intending to take (or variations of booked leave).

Section A Booking Notice

Name Grade

Current Location

Name of other parent

Request to take Shared Parental Leave (1st Request)

| Start Date | End Date | Number of Weeks SPL |
|------------|----------|---------------------|
| | | |
| | | |
| | | |

Request to take Shared Parental Pay (if applicable)

| Start Date | End Date | Number of Weeks ShPP |
|------------|----------|----------------------|
| | | |
| | | |
| | | |

Section B Annual Leave

Please indicate if you are taking any periods of annual leave either: before/between/after shared parental leave.

| Start Date | End Date | Number days annual leave |
|------------|----------|--------------------------|
| | | |
| | | |
| | | |

Please note annual leave must be approved by your line manager.

Section C Request to Vary or Cancel Previously Requested Shared Parental Leave

Please note that requests to vary or cancel leave must be made at least 8 weeks prior to the date the period of leave varied or cancelled by the notice is due to commence.

The new dates must also provide at least 8 weeks' notice of commencement.

Original SPL dates to be varied

| Start Date | End Date | Number of Weeks SPL |
|------------|----------|---------------------|
| | | |
| | | |
| | | |

New SPL dates

| Start Date | End Date | Number of Weeks SPL |
|------------|----------|---------------------|
| | | |
| | | |
| | | |

New ShPP Details (if applicable)

| | |
|---|--|
| Number of weeks ShPP you have claimed/intend to claim | |
|---|--|

| | |
|---|--|
| Number of weeks ShPP the other parent has claimed/ intends to claim | |
|---|--|

| | |
|---|--|
| Indication of start and end dates of ShPP periods | |
|---|--|

Employee Signature: Date:

Other Parent Signature: Date:

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.gsi.gov.uk

Curtailment Notice for Employees who are Not Entitled to Shared Parental Leave

Please note that if you are entitled to take shared parental leave, please use the curtailment notice in the Notice of Entitlement and Intention to take Shared Parental Leave form.

This form is for employees who **do not meet** the eligibility requirements for Shared Parental Leave but whose partner or spouse does qualify for Shared Parental Leave (SPL) and Pay (ShPP).

In order to allow the other parent to take SPL and ShPP to care for the child, you will need to give notice that you wish to end your maternity/adoption leave and pay period, (or just your maternity/adoption pay or maternity allowance).

The other parent will not be entitled to take SPL until you have submitted this notice of curtailment.

You **must** give **at least 8 weeks' notice** of your curtailment date. If you are entitled to maternity leave/adoption leave, the curtailment date must be at least two weeks after the birth of the child or after the first two weeks of adoption leave.

If you are in receipt of maternity allowance you must also submit a curtailment notice to the Social Security Agency.

| | |
|--|--|
| I wish for my maternity/adoption leave/pay to end on | |
|--|--|

Name: Location:

Signature: Date:

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.gsi.gov.uk

Shared Parental Leave in Touch Days (SPLIT days)

Under the Work and Families (NI) Act 2015 and associated regulations 20 SPLIT days are permitted during shared parental leave. (This is in addition to the 10 KIT days during maternity leave).

The purpose of SPLIT days is to allow the employee to keep up to date with work changes, undergo training or simply to take on normal work.

It is not mandatory for employers to offer SPLIT days *nor* for employees to accept them if offered.

Please indicate below whether or not you wish to be contacted about possible SPLIT days during shared parental leave.

Should you give your permission normal salary will be paid for any attendance at work within the limits of overall contractual daily pay.

Name:

Location:

Please complete either section A or B below.

Section A

I do not wish to be contacted during my shared parental leave for the purposes of any SPLIT days.

Signature:

Date:

Section B

I do wish to be contacted during my shared parental leave for the purposes of any SPLIT days.

Signature:

Date:

Probation Board for Northern Ireland
HR Department
80-90 North Street,
Belfast, BT1 1LD
T: 02890262441 E-mail: hr@pbni.gsi.gov.uk

Ordinary Parental Leave Form

Employees should initially discuss any requests for parental leave with their line manager.

Requests for parental leave should be submitted to the HR Department **giving at least 21 days' notice**. Where 21 days' notice is not reasonably practicable, leave may nevertheless be granted at line management discretion and subject to operational needs.

The maximum amount of parental leave in any one year is four weeks in respect of any individual child.

Please note that annual leave does not accrue during periods of unpaid parental leave and you will be advised of the pro rata deduction from your annual leave balance by the HR Department.

Name: Location:

Please tick ✓

I confirm that:

- I have at least one year's continuous service with PBNI as my employer
- I have a child under the age of 18
- I have, or expect to have, parental responsibility for the child

| |
|--|
| |
| |
| |

The HR Department may, at their discretion, require you to produce evidence:

- The child's birth certificate
- Papers confirming the child's adoption or the date the placement began.
- Confirmation of disability living allowance for a child

Request for parental leave:

| Start Date | End Date | Number of Weeks Ordinary Parental Leave (max 4 in 1 year per child) |
|------------|----------|---|
| | | |
| | | |
| | | |

Line Manager approval/postponement

Please tick ✓

I confirm that I approve the above request for parental leave

I am unable to approve the request for parental leave at this time as the operation of business would be unduly disrupted.

I have asked that your parental leave be postponed until

Postponement can be up to six months and should have been discussed and agreed with the member of staff.

Revised dates of parental leave are as follows:

| Start Date | End Date | Number of Weeks Ordinary Parental Leave (max 4 in 1 year per child) |
|------------|----------|---|
| | | |
| | | |
| | | |

Line Manager's Name

Team:

Signature:

Date: