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| New Logo 2 | Barnardo’sCorporate Policy |
| **Support Leave Policy** |
| **Risk Owner:** | Director of People and Culture   |
| **Supported by:** | People Strategy & Projects Team   |
| **Date Approved:** | 1 April 2023 |
| **Date for Review:** | 31 March 2026 |
| **Distribution** | Non-confidential – internal only  |

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| 1. **Purpose**
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| This policy and procedure aims to:* provide information and support to the partners of pregnant parents, primary adopters and long term-foster carers;
* allow the partners of pregnant parents, primary adopters and long-term foster carers to take time off to support before and after the birth/placement for adoption or long-term fostering.
* ensure that Barnardo’s complies with the requirements of current legislation.
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| 1. **Policy**
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| **2.1** **Summary of Entitlements**Support leave applies to the birth of a child, adoption of a child and the long-term fostering of a child.An eligible colleague has the right to:* A maximum of 4 weeks’ paid support leave to care for the child;
* Return to the same job following the period of support leave with no loss of benefits;
* Paid time off to attend two antenatal appointments (up to a maximum of one working day per appointment); or for adoption and long-term fostering, to attend two interviews/appointments with social workers, fostering/adoption agencies and solicitors’ etc (up to a maximum of one working day per appointment).
* Not to lose their job or suffer detrimental treatment as a result of taking or seeking to take support leave or time of to accompany at antenatal appointments.
* Subject to the correct leave notification being given, all existing terms and conditions remain in force for the duration of support leave.
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| **2.2 Eligibility for Barnardo’s support leave*** The colleague has, or is expected to have, shared responsibility for the upbringing of the child; and
* Is partner of the person giving birth or the child’s primary adopter or foster carer.

A colleague who wishes to take support leave must provide the following documentary evidence:* a copy of the MATB1 certificate; or
* a copy of the adopter’s matching certificate (or other documentary evidence from the adoption agency) or
* a copy of the fosterer’s fostering agreement (or other documentary evidence from the fostering service).

**2.3 Length and timing of Barnardo’s support leave**A colleague is entitled to a maximum of 4 weeks’ paid support leave. This can be taken as one block of one week; or two blocks of two consecutive weeks; or four blocks of one week. It cannot be taken as individual or occasional days. A colleague can decide when they want the leave to start, but it must be taken:* Within 56 calendar days of the child being born/placed for adoption or long-term fostering.
* If the child is born early, within the period from the actual date of the birth until the 56th day after the first day of the expected week of birth.

Support leave can start on any day of the week. Only one period of leave is available at any one time, irrespective of the number of children born, adopted or long term fostered.A colleague can extend their support leave by taking annual leave, which must be authorised in the usual way by their manager, or if eligible by taking unpaid parental leave, (see Parental Leave Policy and Procedure on Inside.Barnardo’s.) or Shared Parental Leave (See [Shared Parental Leave Policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/shared-parental-leave) on Inside.Barnardo’s)**2.4 If you lose your baby**A colleague’s entitlement to support Leave continues to apply if their child is stillborn or miscarried after 24 weeks of pregnancy, or born alive at any point of the pregnancy. If it is before 24 weeks, the colleague is not entitled to support leave. In these circumstances, other leave provisions may apply and colleagues should refer to the additional leave policy. Employees can also contact the Employee Assistance Programme and access support from various baby loss organisations - see ‘[Sources of Support for Family Friendly Policies’](https://inside.barnardos.org.uk/family-friendly-policies-sources-support).**2.5 Breakdown in adoption/fostering placement** A colleague’s entitlement to support leave continues to apply if the child’s placement with the adopter/fosterer has ended.**2.6 Link with Shared Parental Leave**Partners may also be eligible for Shared Parental Leave and Pay – see the [Shared Parental Leave Policy and Procedure](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/shared-parental-leave) for further details. This may be taken on top of Barnardo’s support leave. However, a colleague cannot take Barnardo’s support leave if they have already taken a period of Shared Parental Leave in relation to the same child. Therefore, a colleague can take both Barnardo’s support leave and shared parental leave (where eligible), but the period of Barnardo’s support leave must come first. |

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| 1. **Scope**
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| The policy applies to all colleagues directly employed by the charity, subject to the eligibility criteria detailed within Section 2. There is no qualifying length of service in order to be eligible for support leave. |

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| 1. **Definitions and Key Concepts**
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| **Barnardo’s Support Leave****Partner** | The inclusive term that Barnardo’s uses for the statutory provision referred to as ‘ordinary paternity leave’. It applies to the partners of pregnant parents, primary adopters and foster carers.Includes spouse, civil partner, or someone, whether of a different sex or the same sex, who lives with the colleague in an enduring family relationship (but who is not their child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew) |

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| 1. **Roles and Responsibilities**
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| ColleaguesLine ManagersPeople TeamsPeople Strategy & Projects Team  | Are responsible for complying with the notification and documentary evidence requirements within the deadlines set out in this policy.Are responsible for discussing and agreeing any period of time off agreed under this policy with their colleague; ensuring any agreed periods of leave agreed under this policy are notified to the People Team.Are responsible for advising and guiding colleagues and line managers on this policy; and ensuring that the leave and pay details are correctly recorded and actioned.Are responsible for reviewing this policy at 3 yearly intervals, however, any legal or organisational developments may prompt more frequent reviews.  Any statutory changes will be incorporated automatically. |

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| 1. **Procedures**
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| 6.1 Notification of Barnardo’s support leaveTo exercise their right to support leave, a colleague must notify their manager of their intention to take support leave within specified timescales, as follows:* no later than the 15th week before the baby is expected (i.e. by the 25th week of pregnancy), unless this is not reasonably practical (e.g. the baby is born early); or
* within 7 days of the date on which the adopter is notified of having been matched with the child by the adoption agency, unless this is not reasonably practicable; or
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| * within 7 days of the date on which the fosterer is notified by the fostering service that they have been placed with a child for long term fostering, unless this is not reasonably practicable.

Notification of support leave should be made using the relevant form – the [Barnardo’s Support Leave – Self Certification Form](https://inside.barnardos.org.uk/support-leave-policy) (Adoption, Fostering and Maternity) – which can be found on Inside.Barnardo’s.The colleague can change their mind about when they want the leave to start, providing that they give at least 28 days’ notice to their line manager (unless this is not reasonably practical).**6.2 Ante-Natal / Pre-Adoption/Fostering Appointments**Partners are entitled to paid time off to accompany the pregnant parent to two antenatal appointments (up to a maximum of one working day per appointment).Antenatal care may include relaxation and parent craft classes that the pregnant parent’s doctor, midwife or health visitor has advised them to attend, in addition to medical examinations.For adoption and long-term fostering cases, eligible partners are entitled to paid time off to attend two interviews/appointments with social workers, fostering/adoption agencies and solicitors’ etc (up to a maximum of one working day per appointment). The colleague must give their line manager as much notice as possible of appointments and, wherever possible, try to arrange them as near to the start or end of the working day as possible. Any agreed paid time off must be entered onto Dynamics 365. |

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| 1. **Associated Legislation, Guidance, References and Documents**
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| * Parental Leave Policy and Procedure
* Barnardo’s Support Leave – Self Certification Form (Adoption, Fostering and Maternity)
* Flexible Working Policy & Procedure
* Shared Parental Leave Policy and Procedure
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| 1. **Compliance and Oversight**
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| In addition to the compliance and oversight arrangements set out under Roles and Responsibilities, the following applies:* The Risk Owner will ensure that management information demonstrating adherence to and compliance with this Policy is produced and provided to relevant parties as required and on request complete a business self-assessment.
* The Audit and Assurance Team will periodically and independently review adherence to and compliance with this Policy and associated procedures and processes across the Charity in line with their approved audit and inspection plans.
* People Teams monitoring of general adherence to policy.
* Feedback from UNISON and Barnardo’s Equality, Diversity & Inclusion (EDI) Networks.
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| 1. **Document History**
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| **Version** | **Date** | **Author** | **Comments**  | **Approval**  |
| 2.0 | 01.12.14 | Policy & Advice Team | Put into new format.Removal of Additional Statutory Support Leave following the introduction of Shared Parental Leave.Addition of paid time off to accompany to appointments |  |
| 2.1 | 01.08.17 | Policy & Advice Team | Policy reviewed and updated for gender neutral language |  |
| 2.2 | 02.08.22 | Policy & Advice Team | To reflect agreed review date |  |
| 2.3 | 01.04.23 | People Strategy & Projects Team   | Updated to new policy template and to reflect additional weeks entitlement |  |