



SONIC
HEALTHCARE UK

MATERNITY, PATERNITY, ADOPTION AND PARENTAL LEAVE POLICY AND PROCEDURE

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Date Implemented:	August 2022
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Responsible Lead:	Head of Human Resources
Responsible Sub Lead:	Director of Human Resources
Target Audience:	All Employees. This policy does not apply to Bank Workers, Agency Workers or Contractors who work for the company from time to time
Related Documents and Policies:	Flexible Working Request Policy and Procedure
Policy Type:	Contractual

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1 Introduction

Sonic Healthcare UK is committed to supporting all staff with their work / personal life balance. This policy is designed to support eligible staff who are current or prospective parents through all aspects of pregnancy or adoption, throughout the leave period after the birth/adoption and upon their return to work. Sonic Healthcare UK will ensure it remains compliant with any amendments to legislation governing maternity, paternity, adoption, parental or surrogacy leave.

This Policy sets out the current statutory and contractual rights of staff who require maternity, adoption, paternity and/or parental leave and gives details of the arrangements for its fair and consistent application.

2 Purpose

The purpose of this policy is to set the required information about staff their entitlements to leave and pay for the birth or adoption of a baby or child.

This policy includes information on the qualification requirements for leave and pay in both of these circumstances and provides guidance on the steps staff should take in order to benefit. It also includes detail on other issues arising when a member of staff needs to take maternity, paternity, adoption, parental leave or shared parental leave.

The purpose of this policy during maternity, adoption, paternity or parental leave is to:

- Ensure compliance with statutory, contractual and good practice provisions.
 - Retain the link between the individual and their department to ensure the retention of employees.
 - Provide financial support and time off for eligible employees.
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3 Responsibilities

3.1 Employee's Responsibilities

- Employees are responsible for co-operating in the Maternity, Paternity / Partner, Adoption, Parental and Shared Parental leave procedures and should make every effort to attend any meetings arranged by management.
- Employees are responsible for arranging their own trade union representation or support throughout the Maternity, Paternity, Adoption and Parental leave procedures.
- All employees required to be registered with a professional body must maintain registration at all times during their employment with Sonic Healthcare UK. This includes any periods of maternity, paternity, parental, adoption leave or shared parental leave whether paid or unpaid.
- Maintaining reasonable contact as agreed during any period of leave, including Keeping in Touch (KIT) days where agreed, as well as advising their Line Manager at the earliest opportunity should there be a change to their return to work plans

- Liaising with payroll in relation to any deductions from salary which may need to be reviewed during leave
- Discussing annual leave arrangements with their Line Manager prior to commencing leave

3.2 Line Manager's Responsibilities

- Managers are responsible for responding to employee's requests for leave in accordance with this policy guidance and without any undue delay.
- Advising staff of this Policy and Procedure when appropriate
- Managers are responsible for arranging with Health and Safety Department any necessary workplace risk assessments for their staff and to ensure that they keep in touch with staff who are on extended periods of leave.
- Managers are responsible for informing Human Resources Department of any changes.
- Discussing annual leave arrangements with staff prior to them commencing leave
- Allowing expectant mothers paid time off to attend ante-natal, postnatal, official adoption appointments,
- Agreeing and maintaining reasonable contact, as agreed, with the member of staff during the leave as appropriate, inclusive of consulting and engaging with most any organisational change process and Keeping in Touch (KIT) days.

3.3 Human Resources Department Responsibilities

- The Human Resources department is responsible for the creation and maintenance of records of applications for Maternity, Paternity, Adoption Parental leave and Shared Parental Leave within Sonic Healthcare UK in line with legislation and best practice for information governance.
 - To support, , managers through the Maternity Paternity, Adoption, Parental and Shared Parental leave procedures, including the grievance stage if required.
 - The Human Resources department is responsible for the review and maintenance of the Maternity, Paternity, Adoption and Parental leave policy through agreed forums within Sonic Healthcare UK.
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4 Definitions

4.1 Ordinary Maternity/ Adoption Leave (OML/OAL)

The entitlement to a period of 26 weeks leave regardless of how long an employee has worked for Sonic Healthcare UK. This will be unpaid unless an employee qualifies for Statutory Maternity Pay or Maternity allowance.

4.2 Additional Maternity/Adoption Leave (AML/AAL)

The entitlement to a further period of up to 26 weeks unpaid leave regardless of how long an employee has worked for Sonic Healthcare UK.

4.3 **Shared Parental Leave (SPL)**

SPL is a form of leave which enables eligible working parents following the birth or adoption of a child to take time off to share the care of the child during an equivalent period to the mother's maternity or adoption leave.

4.4 **Paternity Leave**

The entitlement of a father, or co-parent to take 2 weeks paid leave up anytime up to 56 days from the birth or adoption of the child.

4.5 **MAT B1 Form**

The certificate provided by the employee's GP or Midwife, anticipating the potential date of the birth of their baby. It is usually issued to expectant mothers between the 24th and 26th week of pregnancy.

4.6 **Expected week of Confinement (EWC)**

The week in which the baby is due to be born.

4.7 **Qualifying Week (QW)**

Qualifying week: 15th week before the EWC.

4.8 **Statutory Maternity/ Adoption Pay (SMP/SAP)**

The minimum level of Maternity/Adoption Pay that an employee is entitled to through State provision if an employee has 26 weeks continuous Sonic Healthcare UK employment by the 15th week before their EWC and paid sufficient National Insurance (NI) Contributions.

4.9 **Statutory Maternity/Adoption Allowance (SMA/SAA)**

Allowance paid by Department of Work and Pensions to those employees, who do not qualify for Statutory Maternity Pay. Eligibility is determined by the Department of Work and Pensions (DWP).

4.10 **Statutory Shared Parental Pay (SHPP)**

SHPP is paid at a rate set by the government each year. SHPP of up to 39 weeks (less any weeks statutory maternity/adoption pay claimed by you or the co-parent), is usually available.

4.11 **Occupational Maternity/Adoption Pay (OMP/OMA)**

Maternity/Adoption Pay will be based on eligibility and is paid by your Employer.

4.12 Continuous Leave

A period of leave that is taken in one block e.g. four weeks' leave.

4.13 Discontinuous Leave

A period of leave that is arranged around weeks where the employee will return to work, e.g. an arrangement where an employee will work every other week for a period of three months.

4.14 Curtail

Where an eligible parent brings their maternity/adoption leave and, if appropriate, pay or allowance entitlement to an end early. This is sometimes referred to as reducing the maternity/adoption leave period or reducing the maternity/adoption pay or Maternity Allowance period.

4.15 KIT Days

Keep in Touch days. During maternity leave the employee can choose to attend work for a maximum of 10 KIT days. These days are paid.

4.16 Shared Parental Leave in Touch Day (SPLIT Days)

During Shared Parental Leave an employee will be able to agree up to 20 paid SPL in Touch (SPLIT) days. These are in addition to the 10 Keeping in Touch (KIT) days available to employees on Maternity leave. These must be agreed with your manager before taking them.

4.17 Match

When an adopter is approved to adopt a named child or children.

4.18 Department of Work and Pensions (DWP)

The DWP is the government department that assesses eligibility for state benefits.

5 Policy Development

Every 3 years or in light of legislative changes or further guidance being issued and at Management or Staff Side request

6. Policy Principles

6.1 When the employee receives medical confirmation of pregnancy, the employee should notify the manager of, the expected week of confinement (EWC) and the date on which the employee wants to commence Maternity leave, (which must not be a date earlier

than the 11th week before the EWC). For adoption this should not be more than 14 days before the child is placed with employee).

6.2 Sonic Healthcare UK undertakes to ensure that Maternity and Adoption leave does not cause staff any disadvantage in relation to training needs and/or self-development.

6.3 Employees returning to work during or at the end of the first 26 weeks (Ordinary maternity/adoption leave, Paternity Leave or Shared Parental Leave) are entitled to return to the same job on the same terms and conditions.

6.4 Employees taking more than 26 weeks (Additional maternity/adoption leave or Shared Parental Leave) are also entitled to return to the same job on the same terms and conditions. However, if that isn't reasonably practicable the employee is entitled to return to a suitable job on terms and conditions, which are no less favourable. There will be a formal meeting with the employee to discuss the reason and agree suitable alternative post.

6.5 SPL (Shared Parental Leave) is a legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 05 April 2015. It provides both parents with the opportunity to consider the best arrangement to care for their child during the child's first year.

6.6 Adopters will have the same rights as other parents to SPL and pay.

7. Policy Procedure

7.1 Maternity and Adoption Leave Provisions

7.1.1 Notification requirements

To apply for maternity leave, an employee should notify Sonic Healthcare UK in writing no later than the end of the 15th week before the expected week of confinement (EWC) or in the case of adoption more than 28 days before the child is placed with the employee. The notice must state:

- Whether they intend to take ordinary Maternity and Adoption leave and/or additional Maternity and Adoption leave.
- When they want the Maternity and Adoption leave to start; this date cannot be earlier than the 11th week before the EWC or more than 14 days before the child is placed with the employee in cases of adoption. If the child is coming from abroad, adoption leave may begin on the date the child enters the UK or a date up to 28 days later.
- The week in which the child is due/or due to be placed (note that for these purposes a week begins on a Sunday).

An original copy of the MAT B1 form signed by the GP or midwife should be provided which confirms the EWC. For Adoption, a Matching Certificate should be provided, (please

note that Maternity and Adoption pay cannot be processed without the MAT B1 or Matching Certificate). Where requested, a copy should be returned to the employee.

Once the manager has been notified of the intended start date or that the ordinary Maternity and Adoption leave period has commenced due to absence or premature childbirth, written notification will be given to the employee by the Human Resources Team:

- Of the date on which the ordinary Maternity and Adoption leave period will end;
- Of the date the additional Maternity and Adoption leave period will end.

The above notification will also be given where Sonic Healthcare UK has been notified of:

- The intended start date, or that it has been commenced by premature absence or premature childbirth within 28 days from the date in which Sonic Healthcare UK received the notification;
- A variation, within 28 days of the date on which the employee's ordinary Maternity and Adoption leave period commenced.

7.1.2 Medical evidence

The employees expectant mother's doctor or midwife will issue the employee with a form MAT B1 (certificate of confinement) form, usually in the employees 24th to 26th week of pregnancy. The form must either have the doctor's name and address or the midwife's name and registration number on it. This should be handed in as soon as possible to the employee's manager so that Sonic Healthcare UK has formal confirmation of the employees expected week of childbirth confinement. Sonic Healthcare cannot start paying maternity pay without this certificate.

There is no requirement for the employee expectant mother to produce any documentation to demonstrate that the employee is fit to work past the employees 29th week of pregnancy, although the employee should still discuss the employee's fitness to work with the employee's Doctor or Midwife, and only work for as long as recommended. The employee's manager may ask the expectant employee to see an Occupational Health Adviser to ensure that the work the employee does will not cause any harm to either the employee or the employee's baby. Where this is requested, the outcome will help form part of the risk assessment.

7.1.3 Commencement of maternity leave

The employee may commence maternity leave at any time from 11th week before the expected week of confinement up to the date of birth, provided that the notification procedures have been complied with.

Maternity leave will automatically commence in the event of absence from work for any pregnancy related illness during the four weeks prior to the commencement of the EWC,

regardless of when maternity leave was actually planned to begin. Maternity leave will begin automatically on the day after the first day of the employee's absence from work in such cases.

If an employee gives birth before the employee's maternity leave period was due to commence, they must notify Sonic Healthcare UK in writing as soon as is reasonably practicable of the date. In this instance, the maternity leave period will commence automatically on the day after the date of birth.

Any notification to vary the date for commencement of Maternity or Adoption leave must be made in writing at least 28 days before the revised date. Discretion will be applied in circumstances where this has not been possible.

7.1.4. Compulsory maternity leave

Legislation prohibits mothers from returning to work during the two week period immediately following the birth of their child.

7.1.5. Premature and stillbirth

Where an employee's baby is born alive prematurely i.e. at least 11 weeks before the baby is due, the employee can agree with the line manager for the Maternity/ Adoption leave to be split, taking a minimum of two weeks leave immediately after the childbirth and the rest of the leave when the baby is discharged from Hospital.

In the unfortunate event of a stillbirth occurring from the beginning of the 25th week of pregnancy, the employee will be entitled to the same amount of Maternity Leave and pay as if the baby was born alive.

Where an employee has a miscarriage before the end of the 24th week of pregnancy, normal sick leave provisions will apply.

7.1.6. Risk Assessment prior to maternity leave

In order to comply with Health and Safety legislation the employee must inform their line manager at the earliest possible opportunity that they are pregnant. This is to ensure that the job the employee is doing will not adversely affect them their unborn child during pregnancy.

Until Sonic Healthcare UK has received written notification from an employee, the Company is not obliged to take any action other than those resulting from the risk assessment for all their employees.

The employee's line manager should undertake a risk assessment where appropriate in order to ascertain whether there are any significant risks to the employee's health and safety which may affect their pregnancy. The group is obliged to assess the physical,

biological, chemical risks, working conditions and processes. These risks may vary depending on an employee's health, and at different stages of their pregnancy.

The actual risk to the employee depends on the 'nature, degree and duration of the exposure' in each case. Therefore each case will be assessed on its own criteria.

The pregnant employee is expected to assist with their risk assessment. It is important that any advice an employee has received from their doctor or midwife, which could impact on the assessment, is passed on their line manager. The risk assessment should be monitored and reviewed on a regular basis to ensure the employees' health and safety needs are being met.

Once the assessment has taken place, the Company will decide what appropriate measure to take in response to the results of the assessment. The results and measures will be communicated to the employee.

Assessment will take place in respect of all activities liable to involve a specific risk of exposure to the agents, processes or working conditions.

Where the employee feels a hazard is not adequately assessed, this should be discussed immediately with the line manager, and a health and safety representative. An employee's Trade Union Representative may also wish to be involved.

7.1.7 Maternity suspension

Where the assessment identifies a risk which cannot be avoided, Sonic Healthcare UK shall take reasonable steps to mitigate against any identified risks or offer different suitable work (with no less favourable terms and conditions); if no suitable alternative work is available, the Company may suspend the expectant mother on full pay for as long as necessary to protect her health and safety or that of her baby.

During this period of absence, the employee will retain full contractual rights. However, if the employee unreasonably refuses an offer of suitable alternative employment, the employee may risk losing the right to remuneration.

Where there is a dispute about suitability the grievance policy should be followed.

7.1.8 Leave entitlements

The employee is entitled to take up to a maximum of 52 weeks Maternity/Adoption Leave. This is made up of two parts:

- Ordinary Maternity and Adoption Leave (OML)

The first 26 weeks of Leave is referred to as Ordinary Maternity /Adoption Leave. Employees are entitled to take 26 weeks ordinary Maternity or Adoption leave irrespective of their length of service or the number of hours worked each week, provided they comply with certain notification requirements.

- Additional Maternity and Adoption Leave (AML)

Employees who qualify for ordinary Maternity or Adoption leave will also qualify for Additional Maternity Leave (AML). This is a further 26 week period that starts the day after the OML ends.

7.1.9 Maternity and adoption pay

Criteria	Returning to work from maternity leave (Minimum of 1 year where OMP is applicable)	Not returning to work from maternity leave
Length of Service	Entitlement	Entitlement
You have less than 26 week's continuous company service at the end of the: <ul style="list-style-type: none"> • 15th week before the expected week of childbirth • matching week 	Up to a maximum of 52 weeks unpaid leave. You will be sent a form from the Payroll department so that you can claim Maternity /Adoption Allowance if you meet the criteria.	You will be sent a SMP1 form from the Payroll department so that you can claim Maternity/Adoption Allowance if you meet the criteria.
You have at least 26 weeks continuous company service but less than a year at the end of the: <ul style="list-style-type: none"> • 15th week before expected week of childbirth • matching week 	Statutory Pay Up to a maximum of 52 weeks leave <ul style="list-style-type: none"> • 6 weeks of higher rate SMP/SAP (90% of average weekly salary) • 33 weeks standard SMP/SAP or 90% of weekly salary (whichever is lower) • 13 weeks unpaid leave 	Statutory Pay <ul style="list-style-type: none"> • 6 weeks of higher rate SMP/SAP (90% of average salary) • 33 weeks standard SMP/SAP or 90% of weekly salary (whichever is lower).
You have at least 12 months continuous service at the beginning of the: <ul style="list-style-type: none"> • 11th week before expected week of childbirth/ • matching week 	Occupational Maternity Pay Up to a maximum of 52 weeks leave. <ul style="list-style-type: none"> • 8 weeks full pay • 18 weeks half pay plus standard SMP/SAP (not to exceed normal full pay) • 13 weeks standard SMP/SAP • 13 weeks unpaid leave 	Statutory Pay <ul style="list-style-type: none"> • 6 weeks of higher rate SMP/SAP(90% of average salary) • 33 weeks standard SMP/SAP or 90% of weekly salary (whichever is lower).

If an employee is not eligible for Maternity or Adoption pay they may be entitled to claim Maternity/Adoption Allowance direct from the Department for Work and Pensions. This is done by completing an SMP1/SAP1 form, which, can be downloaded from www.dwp.gov.uk and sent to the local benefits office.

7.1.10 Calculations of maternity/ adoption pay

- Full pay will be calculated using the average weekly earnings rules used for calculating Statutory Maternity/Adoption Pay entitlements including overtime.
- Salary during maternity/adoption leave is based on the employee's average pay over a specific reference period before the qualifying week or matching week.
- The qualifying week is the 15th week before Expected Week of Childbirth (EWC) indicated on the MATB1 form.
- Employees taking part in a childcare voucher salary sacrifice scheme may wish to contact the Childcare Coordinator for their place of work to discuss reducing their salary sacrifice contribution during the eight week/two month reference period.
- In case of an employee on unpaid sickness absence or on sickness absence during the whole or part of the period used for calculating average weekly earnings, in accordance with the earnings rules for Statutory Maternity Pay purposes, average weekly earnings for the period of sick absence shall be calculated on the basis of notional full sick pay. See also Child Care Vouchers Scheme at the end of this section.
- TDL and HSL contracted Employees who wish to retain their Occupational Maternity/ Paternity Pay must return to work in the company for at least 1 year. Employees that have retained NHS terms and conditions must return to the company for at least 3 months. Employees who do not return to work for a minimum time period will be contractually obliged to repay any Occupational Maternity/ Paternity Pay they have received minus statutory pay.
- No extra remuneration is payable for multiple births in the same pregnancy
- Maternity and Adoption pay will be paid into the employee's bank account on the same date that they would have received their salary and will be subject to the usual deductions for tax, National Insurance (NI) and pension contributions and payslips will be updated as normal on the HR system.

Cessation of Maternity / Adoption pay

- Maternity or adoption pay (SMP/SAP, MA/AA or OMP/OAP) will cease as soon as an employee carries out work, whether this is with Sonic Healthcare UK or otherwise (with the exception of KIT days – see section 7.1.16).
- The individual must contact their line manager if they hold or take up a new contract of employment with any other organisation prior to or during maternity/adoption leave.

- If the employee, whilst being paid occupational pay, carries out any work, whether for Sonic Healthcare UK or otherwise, without informing the line manager/ payroll, which is contrary to the above requirements, the employee will be required to repay the occupational pay. Failure to report the matter to the Company may result in the matter being formally investigated under the Disciplinary Policy and procedure. Maternity/adoption pay can also be stopped if the employee is taken into legal custody.

7.1.11 Antenatal care

All pregnant employees are entitled to reasonable time off with pay for antenatal care made on the advice of a registered medical practitioner, which may include relaxation classes and parent-craft classes.

After the employee's first antenatal appointment, the employee should show their manager their appointment card and discuss the need for time off, so that their manager can make any necessary arrangements to cover the employee's absence. In exceptional circumstances, the employee's manager may ask the employee to change the time of their appointment, if it will be inconvenient to the department and the employee should comply with this where possible.

7.1.12 Sickness during pregnancy

If the expectant mother is sick with a pregnancy related reason at any time during the four weeks before the expected week of confinement, the employee's maternity leave will automatically begin on the day after the first day of the absence. If the expectant mother is sick earlier than this or as a result of a reason other than the pregnancy, the absence will be recorded in the normal manner.

Special consideration will be given to managing the health and attendance of pregnant women and pregnancy related absences will be disregarded for the purposes of setting targets under the Absence Management Policy

7.1.13 Annual leave and bank holidays

An employee's entitlement to annual leave and bank holidays accrues during maternity/adoption leave, whether it is paid or unpaid. If the employee has any outstanding annual leave before the start of maternity/adoption leave, the employee should discuss and agree with their manager whether they wish to take some or all of it before the maternity/adoption leave starts. If this is not possible, the employee should discuss and agree the possibility of taking accrued annual leave when they return from maternity/adoption leave, either in a single period or to allow a short period of part-time working, especially where the employee may be carrying annual leave/bank holidays over into a new leave year.

If the employee declares their intention not to return to work at all, any outstanding annual leave for the entire period of maternity leave will ideally be taken prior to the employees maternity leave start. This will be discussed with the employee

7.1.14 Unpaid leave following maternity/adoption leave

If it is the employee's intention to take unpaid maternity/adoption leave directly after paid maternity / adoption leave, then this would be treated as normal unpaid leave, which the employee's manager is under no obligation to grant. However, the employee may make an application for a period of statutory unpaid parental leave, details of which are given in this Policy under Section Parental Leave.

7.1.15 Salary review and continuous service

Taking a period of maternity/adoption leave will not affect the employee's salary review or any other financial rewards that the Company may provide at that time related to their continuous Sonic Healthcare UK service.

7.1.16 Keeping in touch (KIT) Days during Maternity / Adoption Leave

Before starting maternity/adoption leave, the employee's manager will discuss voluntary arrangements for keeping in touch if the employee is planning to return to work. The employee may also agree to receive occasional work-related updates. The employee is under no obligation to keep in touch or to maintain any contact discussed before the maternity/adoption leave begins.

The law allows employees to attend work for a maximum of 10 'Keeping in Touch' (KIT) days during their maternity/adoption leave to facilitate a smooth return to work. These days can be consecutive, can be shorter than a normal working day and can include training sessions etc. Working for a part of any days counts as one of the 10 KIT days. Any such KIT days and the arrangements for them must be agreed by both the employee and their manager and neither can insist on KIT days being used.

KIT days will be paid at the normal hourly rate as if the employee were at work if taken during the unpaid part of the employees maternity/adoption leave. If a KIT day is taken during paid maternity/adoption leave the employee will be paid at the normal hourly rate with an adjustment made to the SMP and OMP calculation for that week. Payment of KIT days will be given on the return from maternity/adoption leave. The employee's manager should inform the Payroll department of the number of KIT days taken and should keep a record of days in order to make sure the number of the days is not exceeded.

Normally, KIT days would include for example:

- For training
- Away or development days with the team

- To communicate significant changes within a department, i.e. if a formal consultation is happening in line with organisational change

7.1.17 Return to Work: Notification of return to work

Once the employee has informed their line manager and Human Resources Department of their intention to take maternity/adoption and the start date, the HR Department will write to the employee within 28 days to confirm the employees return to work date and entitlement to maternity/adoption leave and pay.

If the employee wants to return to work before the end of the stated maternity/adoption leave period, the employee should give their manager 8 weeks' notice of the date they wish to return to work,. This notification does not have to be in writing, although recommended, and may be given before the period of maternity/adoption leave begins. We would encourage the employee to discuss their return to work date with their manager at the earliest opportunity, so that suitable arrangements are put in place.

If the employee can not give the required notice of an early return to work, Sonic Healthcare UK may postpone the employees return until a date that would secure the 8 weeks' notice. If the employee still returns to work before this date, Sonic Healthcare UK is under no obligation to pay the employee during the period of postponement. This will be confirmed in writing, stating why the employee will not be paid .

If the employee wishes to apply for a period of unpaid parental leave or a flexible working arrangement after a period of maternity/adoption leave, the employee should refer to the Section in this Policy on Parental Leave.

There is no automatic right for the employee to reduce their hours or return to work on different conditions, but the employee's manager will consider the request in line with Sonic Healthcare UK's Flexible Working Request Policy and give the employee objective reasons in writing, if it cannot be granted. The manager will discuss possible alternatives with the employee before rejecting the request.

On the employees return to work after a period of maternity/adoption leave, subject to any organisational change, the employee has the right to return to the same job, on no less favourable terms and conditions.

When the employee returns to work, the employee's manager will update the employee on developments in their absence, including new and amended policies and arrange an induction appropriate for the length of the employee's absence from work.

The employee has the right to paid time off for post-natal care. The employee should show their manager their appointment card and discuss the need for time off, so that their manager has time to make any necessary arrangements to cover the employee's absence. In exceptional circumstances, the employees manager may ask the employee to change the time of their appointment, if it will be inconvenient to the department, and the employee should comply with this if practical.

7.1.18 Failure to return to as notified:

If the employee is unable to return to work on the date notified because of sickness, Sonic Healthcare UK's normal procedures for supporting attendance will apply and the employee should notify their manager in the usual way.

If the employee wishes to resign during or after a period of maternity/adoption leave, the employee should give written notice in the usual manner to their manager.

TDL & HSL contracted staff who have received full Occupational Pay but who decide not to return to the Company for a minimum period of 1 year following their maternity/adoption/paternity leave, will be required to refund the OMP/OAP/OPP minus statutory pay, to the Company. For staff who have retained their NHS contractual terms of conditions, the minimum period is 3 months. Failure to return to work for this period will result in the employee having to repay the OMP/OAP/OPP minus statutory pay.

Employees who fail to return to work when expected and do not give any notification of their intention in writing, may be subject to disciplinary action as this will be treated as unauthorised absence.

7.2 Paternity Leave

7.2.1. General Principles and Eligibility

- Paternity leave, applies to the father of the child (including adoptive fathers), the mother's husband or partner (whether opposite or same sex), or nominated carer.
- Sonic Healthcare UK will provide maximum 2 week OPP (Occupational Paternity Pay), Statutory Paternity pay and/or leave to eligible employees around the time of their partner giving birth or the placement of the child for adoption.
- All employees regardless of their length of service are entitled to 2 weeks paternity leave at a time when their partner gives birth or adopts a child. In addition to the 2 weeks paternity leave employees may be entitled to take up shared parental leave if their partner has returned to work.
- Employees with 26 weeks continuous service with Sonic Healthcare UK by the end of the 15th week before the baby is due, or the date of adoption, may be entitled to receive Statutory Paternity Pay for this leave.
- Employees with 12 months continuous service by the beginning of the week the baby is due, or the date of adoption, will be entitled to full Occupational Paternity Pay.

7.2.2 To be entitled to a period of paternity leave the employee must also satisfy the following requirements:

- a) They inform their manager in writing at least 28 days before the period of paternity leave begins (or as soon as is reasonably practicable) of the fact that their partner is pregnant and of her expected week of child birth, or the expected date of adoption or, if the birth has already occurred, of the date of the birth
- b) Produce, when requested by the Manager, a certificate (MATB1) from a Registered Medical practitioner or a Registered Midwife stating the expected week of child birth, or letter of adoption
- c) Give their manager at least 28 days' notice, in writing (or as much notice as is reasonably practicable) of the date on which they intend paternity leave to begin and complete the Paternity Leave Application form.

Employees must also complete a SC3 form or SC4 form if adopting, 'Becoming a Parent' at least 28 days before the date they expect the leave to start. The SC3/SC4 forms can be obtained from the HR Department or from the following website: <http://www.hmrc.gov.uk/forms/sc3.pdf>

The period of paternity leave is 2 weeks (normal working weeks), usually commencing on the day on which the employees' partner gives birth or date of adoption. However, leave can commence any time after the birth of the child but must be completed within 56 days of the birth, or if the child is born early leave can commence within the period from the actual date of birth up to 56 days after the first day of the week in which the birth was expected. Paternity / Partner Leave cannot start until after the birth or placement of the child.

Only one period of leave may be taken irrespective of whether more than one child is born as a result of the same pregnancy.

7.2.3 Automatic Commencement of Paternity Leave:

When childbirth occurs before the paternity leave period would otherwise commence, paternity leave would commence automatically from the date of birth, Staff can choose to take either 1 or 2 weeks.

You must take your leave in one go. A week is the same number of days that you normally work in a week - for example, a week is 2 days if you only work on Mondays and Tuesdays.

Paternity leave may also be initially delayed, and commence automatically, upon the discharge from hospital following extended post-natal treatment of the employees' partner or child. Leave cannot start before the birth. It must end within 56 days of the birth (or due date if the baby is early).

You must give your Sonic Healthcare UK 28 days' notice if you want to change your start date.

In such circumstances, Sonic Healthcare UK will not require notice of commencement of paternity leave referred to above. However, the employee should notify their manager as soon as is reasonably practicable that:

- they are absent wholly or partly because of childbirth
- their partner has given birth
- they wish to delay leave due to their partner's/child's extended hospital stay.

7.2.4 Antenatal care

Fathers, partners and civil partners of a pregnant woman are entitled to unpaid time off during working hours to accompany the expectant mother to 2 ante-natal appointments. This could also be requested as paid annual leave.

7.2.5 Interrupted Paternity Leave

In accordance with the requirements for Statutory Paternity entitlements, leave will normally be a period of one or two consecutive weeks. It cannot normally be taken as odd days or as two separate weeks.

Exceptionally, an employee whose partner has given birth prior to the expected week of childbirth and whose baby is in hospital, may split the paternity leave entitlement, subject to the agreement of their manager.

Whilst each case may be different and should be treated on its merits, interrupted paternity leave shall normally imply taking a short period of leave after the birth, then returning to work whilst the baby is hospitalised, and finally, resuming paternity leave upon the baby's discharge.

7.2.6 Right to return to work following Paternity Leave

Employees who have taken paternity leave will have the right to return to the same job under their original contract and on no less favourable terms and conditions.

7.2.7 Paternity Leave Pay

Employees with less than 26 weeks continuous service with Sonic Healthcare UK 15 weeks before the expected week of childbirth/adoption placement will be entitled to 2 weeks unpaid paternity leave.

Employees with at least 26 weeks continuous service with Sonic Healthcare UK 15 weeks before the expected week of childbirth/adoption placement may be entitled to Statutory

Paternity Pay. This is dependent on the employee having average weekly earnings at or above the lower earnings limit for National Insurance. Payment is for two weeks at the Lower Rate Statutory Paternity Pay

Employees with at least 12 months continuous service before the expected week of childbirth/Adoption placement are entitled to Occupational Paternity Pay and shall receive pay for paternity leave at full basic rate (pro-rata for part-time). Full pay will be calculated on the basis of the average weekly earnings rules used for calculating maternity pay.

Paternity Pay will include Statutory Paternity Pay in addition to Occupational Paternity pay for employees with 12 months service.

The paternity pay period starts when the employee's period of paternity leave begins.

7.2.8 Stillbirths

If a stillbirth occurs after the start of the 16th week before the expected week of confinement, Paternity leave is still applicable provided that all the other conditions have been met.

7.2.9 Changing the start or end date

If the staff member subsequently wants to change the date from which they wish their leave to start or end, they should notify the Line Manager at least 28 days beforehand (if that is not possible, as soon as is reasonably practicable).

7.3 Parental Leave

7.3.1 Eligibility

Parental Leave should not be confused with Shared Parental Leave. Parental leave is separate entitlement for eligible parents. See Section on Shared Parental Leave policy for details for more details.

Parental Leave is for employees to take time off work to look after a child's welfare, this leave is normally unpaid, and is available for each child up to their 18th birthday.

If an employee has completed one year's continuous service with an employer, they are entitled to 18 weeks unpaid parental leave for each child born or adopted. The leave can start once the child is born or placed for adoption, or as soon as the employee has completed a year's service, whichever is later. Employees can take it at any time up to the child's 18th birthday.

An employee has the right to unpaid parental leave if all of the following criteria apply. He or she:

- has at least one year's continuous service with Sonic Healthcare UK at the time of the request;
- is named on the child's birth or adoption certificate or they have or expect to have parental responsibility;
- is not self-employed or a 'worker', e.g. an agency worker or contractor;
- is not a foster parent (unless they've secured parental responsibility through the courts);
- has a child under 18 years.

7.3.2 Applying for unpaid parental leave

The first application for parental leave for each child should be accompanied by supporting evidence of parental responsibility. This can be in the form of:

- child's birth certificate;
- adoption matching certificate/official notification;
- documents from a court detailing acquired formal parental; responsibility.

In cases where a father or the partner of a mother wishes to take parental leave immediately after the birth of a child, a copy of the MAT B1 certificate should be provided as supporting evidence. A copy of the child's birth certificate should be forwarded to the manager at the earliest convenience. Such parental leave would be in addition to any entitlement to paternity leave.

Employees wishing to take parental leave should discuss their request with their manager as early as possible to facilitate cover arrangements.

An employee should make a request for parental leave in writing and submit it to his or her manager at least 21 days before the proposed start of the leave. The manager will confirm in writing the dates of the parental leave requested and whether or not it has been granted.

Managers will act reasonably in considering all requests for parental leave and will, where possible, grant the leave requested. If managers wish to turn down a request for parental leave they must be able to demonstrate a significant reason, e.g. serious disruption to the department.

Managers are responsible for advising payroll about a period of unpaid parental leave and should also log all parental leave dates on the HR System.

7.3.3 Amount of unpaid parental leave which can be taken

If an employee meets the eligibility criteria, then they are entitled to a total of 18 weeks unpaid parental leave for each child born or adopted up to their 18th birthday. In the case of multiple births, 18 weeks parental leave is available for each child.

Sonic Healthcare UK may request confirmation from a previous employer of any periods of parental leave or ask the employee to sign a declaration about the amount of parental leave already taken. Dishonest claims for parental leave will be dealt with under Sonic Healthcare UK's Disciplinary Policy.

Parental leave should be taken in blocks of a week or multiples of a week, and should not be taken as "odd" days off, unless the manager agrees otherwise or the child is disabled.

Employees cannot take off more than four weeks during a year per child. A week is based on an employees working pattern.

7.3.4 Postponing parental leave

There may be exceptional circumstances in which it is not possible to grant a request for parental leave at the time requested by the individual. This may be due to operational requirements (e.g. peak absence time, difficulty in finding cover). In these circumstances the leave requested may be postponed by the manager for up to six months. Parental leave cannot be postponed by a manager for more than six months.

Sonic Healthcare UK will not postpone any period of unpaid parental leave immediately after the birth or adoption of a child if 21 days' notice has been given. Provided the employee has given 21 days' notice of the expected week of birth, a period of unpaid parental leave will start on the day the child is born, regardless of whether the child is born early or late.

An entitlement to parental leave is not lost if it is postponed by Sonic Healthcare UK beyond the child's 18th birthday.

When parental leave has been postponed by Sonic Healthcare UK, the manager will write to the employee stating the reasons for the postponement.

Parents may request a change to the dates for which parental leave has been agreed, provided they give as much notice as possible. Managers may allow a change to or the cancellation of a period of parental leave, if reasonably practicable.

7.3.5 Continuous service

A period of unpaid parental leave will count as continuous employment with Sonic Healthcare UK, although pay and most contractual benefits are suspended.

7.3.6 Holiday entitlement

An employee's entitlement to paid holiday accrues during a period of unpaid parental leave.

7.3.7 Return to work

At the end of a period of unpaid parental leave, an employee is entitled to return to the same job.

Employees not wishing to return to work after a period of parental leave should resign in writing to their manager in the usual way.

7.4 Shared Parental Leave Provisions

7.4.1 General Principles

SPL is a legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 05 April 2015. It provides both parents with the opportunity to consider the best arrangement to care for their child during the child's first year.

The regulations give parents the right to take SPL and place a duty on employers to ensure that their employees are not penalised for using their entitlement or put under pressure to cancel / change a leave notification.

Employed eligible parents/adopters will continue to be entitled to 52 weeks of Maternity/Adoption Leave. The mother's maternity pay eligibility criteria will be applicable (Refer to 7.1.9). If they choose to do so, an eligible parent/adopter can end her maternity leave early and, with her partner or the child's father, opt for SPL instead of Maternity Leave. If they both meet the qualifying requirements, they will need to decide how they want to divide their SPL and Pay entitlement.

Adopters will have the same rights as other parents to SPL and pay.

7.4.2 Qualifying criteria for SPL

To qualify, the parent or adopter must be entitled to, and have given notice, to curtail their maternity or adoption entitlements and must share the main responsibility for caring for the child with the child's father or their partner.

There are two tests that must be met in order for a parent to be eligible to take SPL, they must be an employee and must pass the continuity of employment test. In turn, the other parent in the family must meet the employment and earnings test.

Where both parents satisfy the continuity of employment test requirement they will both be able to make use of the pot of SPL. The regulations do mean though that a family can still use SPL even when only one parent actually meets the eligibility criteria. For example,

a self-employed parent will not be entitled to take SPL but they could still pass the employment and earnings test allowing the other parent in the family to qualify.

7.4.3 Continuity of employment test

The person must have worked for the same employer for at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and is still employed in the first week that SPL is to be taken.

7.4.4 Employment and earnings test

The person must have worked for at least 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold set by the government in 13 of the 66 weeks.

7.4.5 Statutory shared parental pay (ShPP)

Eligible employees may be entitled to take up to 37 weeks ShPP (Shared Parental Pay) while taking SPL (Shared Parental Leave). The amount of weeks available will depend on the amount by which the parent/adopter reduces their maternity/adoption pay period or maternity allowance period.

ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.

In addition to meeting the eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:

- the parent/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;
- the employee must intend to care for the child during the week in which ShPP is payable;
- the employee must have an average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date are not less than the lower earnings limit in force for national insurance contributions;
- the employee must remain in continuous employment until the first week of ShPP has begun;

- the employee must give proper notification in accordance with the rules set out below.

Where an employee is entitled to receive ShPP they must notify their line manager in writing giving at least 8 weeks notice. To avoid duplication and where possible, this should be included as part of the notice of entitlement to take SPL.

- In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:
- the start and end dates of any maternity/adoption pay or maternity allowance;
- the total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP;
- a signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the organisation should they cease to be eligible;
- It must be accompanied by a signed declaration from the employee's partner confirming:
 - their agreement to the employee claiming ShPP and for the organisation to process any ShPP payments to the employee;
 - (in the case whether the partner is the parent/ adopter) that they have reduced their maternity/adoption pay or maternity allowance;
 - (in the case whether the partner is the parent/ adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

Any ShPP due will be paid at a rate set by the Government for the relevant tax year.

7.4.6 Considerations

Not everyone will meet the criteria to qualify for SPL but even those who are eligible may find that other arrangements suit them better. It will be sensible for parents to give serious consideration as to which option will be most beneficial to their situation.

In relation to SPL, considerations may include:

1. Whether one or both parents/adopters qualify for SPL and how they would like to share the care of the child.
2. Whether the parent/adopter is prepared to reduce their maternity/adoption leave in order to take SPL instead.
3. Is there a contractual entitlement to enhanced maternity/adoption/ paternity/SPL pay and would reducing the parent's/adopter's maternity/adoption leave impact on this?

4. Availability of other legal rights (such as flexible working requests, annual leave and parental leave) and how they could work alongside SPL.

5. The wider financial implications to the family e.g. pay and pensions.

If parents/adopters do not choose SPL at first, they have the option to use it at a later date while they are still eligible. For example, six months into a maternity leave period, a parent/adopter may choose to reduce their maternity leave by two months, giving their partner the chance to take those two months as SPL (provided they give eight weeks' notice to their employer and take the SPL within a year of the birth/adoption).

Having an early discussion can be helpful for an employee to explore options, find out what discontinuous leave arrangements the employer may be agreeable to, and what plans the employer has to accommodate the leave. It is good practice for employees and employers to do this before formal notices to book leave are given.

7.4.7 Notifying the Organisation of an entitlement to SPL

An employee entitled and intending to take SPL must give their line manager notification of their entitlement and intention to take to SPL, at least eight weeks before they can take any period of SPL.

Part of the eligibility criteria requires the employee to provide the organisation with correct notification. Notification must be in writing to the employee's manager.

It is the employee's responsibility to check that they are eligible for SPL and ShPP before applying. Sonic Healthcare UK will grant leave and pay based on the information and declarations provided by the employee. If it is subsequently discovered that ShPP was incorrectly paid, Sonic Healthcare UK will correct their records and may recover wrongly paid ShPP as an overpayment of wages, as applies to all statutory payments. The company will inform the employee before recovering any possible over payment.

7.4.8 Employer eligibility evidence requests

Sonic Healthcare UK may, within 14 days of the SPL entitlement notification being given, request:

- the name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead);
- in the case of biological parents/adopters, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to 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 they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

In order to be entitled to SPL, the employee must produce this information within 14 days of the employer's request.

7.4.9 Fraudulent claims

Where there is a suspicion that fraudulent information may have been provided or where the organisation has been informed by the HMRC that a fraudulent claim was made. Sonic Healthcare UK can investigate the matter further in accordance with Sonic Healthcare UK's Disciplinary Policy and counter fraud may be involved, without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

7.4.10 Discussions regarding SPL

An employee considering/taking SPL is encouraged to contact their manager to arrange an informal discussion as early as possible regarding their potential entitlement, to talk about their plans and to enable the company to support the individual.

The employee's manager may upon receiving a notification of entitlement to take SPL seek to arrange an informal discussion with the employee to talk about their intentions and how they currently expect to use their SPL entitlement.

Upon receiving a leave booking notice the employee's manager will usually arrange a meeting to discuss it. Where a notice is for a single period of continuous leave, or where a request for discontinuous leave can without further discussion be approved in the terms stated in the employee's request, a meeting may not be necessary.

Where a meeting is arranged it should take place in private and be arranged in advance. If the initial date is problematic then another date will be arranged if possible. If an alternative date cannot be arranged, or if the employee is on Maternity or Adoption leave at the time of the request then the meeting may be held virtually.

The purpose of the meeting is to discuss in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for discontinuous leave the discussion may also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the organisation, and what the outcome may be if no agreement is reached. This is not the same as a Flexible Working Request.

7.4.11 Booking SPL

In addition to notifying the employer of entitlement to SPL and Statutory Shared Parental Pay (ShPP), an employee must also give notice to take the leave. In many cases, notice to take leave will be given at the same time as the notice of entitlement to SPL.

The employee has the right to submit three notifications specifying leave periods they are intending to take. Each notification may contain either

- (a) a single period of weeks of leave; or
- (b) two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave.

SPL can only be taken in complete weeks but may begin on any day of the week. For example if a week of SPL began on a Tuesday it would finish on a Monday. Where an employee returns to work between periods of SPL, the next period of SPL can start on any day of the week.

The employee must book SPL by giving the correct notification at least eight weeks before the date on which they wish to start the leave and (if applicable) receive ShPP.

Once a period of leave is agreed the employees' manager notifies HR of the start and end date of the block of leave and how many weeks ShPP should be paid if applicable. The dates should be recorded on HR system.

7.4.12 Continuous leave notifications

A notification can be for a period of continuous leave, which means a notification of a number of weeks taken in a single unbroken period of leave (for example, six weeks in a row).

An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them (specified in the notice of entitlement) and the employer has been given at least eight weeks' notice.

An employee may submit up to three separate notifications for continuous periods of leave.

7.4.13 Discontinuous leave notifications

A single notification may also contain a request for two or more periods of discontinuous leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement where an employee will take six weeks of SPL and work every other week for a period of three months).

Where there is concern over accommodating the notification, the organisation or the employee may seek to arrange a meeting to discuss the notification with a view to agreeing an arrangement that meets both the needs of the employee and the organisation (see section "Discussions regarding SPL").

The organisation will consider a discontinuous leave notification but has the right to refuse it. If the leave pattern is refused, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

7.4.14 Timeline for response

Once the employee's manager receives the leave booking notice, it will be dealt with as soon as possible, but a response will be provided no later than the 14th day after the leave request was made.

7.4.15 Discontinuous leave approval and confirmation

All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the employee and to the organisation against any adverse impact to the business.

Each request for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

The employee will be informed in writing of the decision as soon as is reasonably practicable, but no later than the 14th day after the leave notification was made. The request may be granted in full or in part: for example, the organisation may propose a modified version of the request.

If a discontinuous leave pattern is refused then the employee may withdraw the request without detriment on or before the 15th day after the notification was given; or may take the total number of weeks in the notice in a single continuous block. If the employee chooses to take the leave in a single continuous block, the employee has until the nineteenth day from the date the original notification was given to choose when they want the leave period to begin. The leave cannot start sooner than eight weeks from the date the original notification was submitted. If the employee does not choose a start date then the leave will begin on the first leave date requested in the original notification.

7.4.16 Cancellation or variation of SPL requests

The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the organisation in writing at least eight weeks before the date of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification reducing the employee's right to book/vary leave by one. However, a change as a result of a child being born early, or as

a result of the organisation requesting it be changed, and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the organisation.

The manager should inform HR as any variation or cancellation of leave is confirmed to notify of the change. The dates should also be amended on HR system.

7.4.17 Contact

Some contact during SPL periods will usually be beneficial for employers and employees. Whether this is done through SPLIT days or pre-arranged telephone contact is for both parties to consider.

Reasonable contact allows employers and employees to keep up-to-date on changes within the workplace and to personal circumstances that can help ease the employee's return to work. The employer has legal obligations to the employee while they are away from work and therefore should keep the employee informed about everyday issues e.g. staffing changes and job opportunities.

How and when contact will take place should be discussed in advance of the leave period being taken and agreed upon by both parties.

7.4.18 SPL in touch (SPLIT) days

During SPL an employee and employer will be able to agree up to 20 SPL in Touch (SPLIT) days. These are in addition to the 10 Keeping in Touch (KIT) days available to employees on Maternity leave. There is no obligation on an employer to offer these days or for an employee to agree to them. SPLIT days can be used in situations where both parties feel it would be beneficial for the employee to attend a work-related activity, for example a training session or a team meeting, or to work part of a week to help the employee return to their role in a gradual way. SPLIT days should be worked as whole days and will be paid upon the employee's return to work in whole days.

7.4.19 Sickness during SPL

Staff are not entitled to sick pay whilst on SPL. However, if the member of staff is ill on or after the date they have agreed to return to work following leave and submit a medical statement from a registered medical practitioner, or a self-certificate to cover the absence, they will be entitled to sick leave in accordance with normal sick leave provisions. It is the employee's duty to keep their manager informed of any illness or changed circumstances that may affect current circumstances or anticipated date of return. An employee may also be referred to Occupational Health to seek guidance on their fitness to carry out normal duties after discussion with their line manager

7.4.20 Returning to Work from SPL

When notifying Sonic Healthcare UK of your return it is good practice to indicate the estimated return date. The employee must give 8 weeks' notice of the actual return to work date. If the incorrect notice is given, the return may be postponed or where no contact is made Sonic Healthcare's Disciplinary policy may be invoked.

Before the employee returns to work, the manager will ensure that:

- They calculate how much leave the employee has accrued during SPL and/or maternity/paternity/adoption leave if applicable (in consultation with the employee) and agree when the employee plans to take this block of leave and when they will physically return to the workplace. Conversations about returning to work should take place at least 8 weeks prior to the start date of any accrued annual leave.
- A reorientation programme should be drawn up prior to the return and implemented over the first few weeks of return.
- A full analysis of statutory and mandatory training requirements for the member of staff should be undertaken and a programme of training established to ensure safe practice.
- A risk assessment under the pregnant or breastfeeding worker guidelines should be carried out, prior to their return to work if applicable.
- A change of conditions electronic form should be completed advising of the date of return (this will be the start date of a block of accrued annual leave if applicable and if taken as a block) and any changes to working conditions agreed.
- For staff who require professional registration to practice, the manager must ensure they are registered before the employee recommences duties.

7.4.21 Annual leave

Employees will accrue annual leave whilst on SPL. The employees should try to take annual leave within their leave year wherever possible. Where this is not possible, it is possible to carry it over to the next leave year, however any backlog of leave should be used immediately after the last planned block of SPL, before the employee physically returns to work where possible. Employees will accrue their normal annual leave and bank holiday entitlements during paid and unpaid maternity leave and SPL.

Employees, in agreement with their manager, can take their accrued leave immediately following the end of their maternity leave, prior to physically returning to their role where possible. Employees must give their manager at least 8 weeks' notice if they wish to do this and this request must be approved by the manager.

7.4.22 Returning to the same job

Staff have the right to return to their job under their original contract and on no less favourable terms and conditions.

Employees have a right to return to the same job after SPL if their maternity leave or combined leave period (comprising of maternity/paternity/adoption and SPL) totalled 26 weeks or less.

In the case where the number of weeks of maternity/paternity/adoption and SPL exceeds 26 weeks in aggregate, or the total number of unpaid parental week exceeds four weeks, an employer must allow an employee to return to the same job unless it is not reasonably practicable, in which case they must offer a suitable and appropriate job on terms and conditions that are no less favourable.

It is rare to justify any change to an employee's role even after 26 weeks. If an employee believes they have unreasonably not been allowed to return to their role they should express their concerns in writing to their employer and HR and seek advice or support from trade union representatives where they are available.

If staff wish to return to different hours or duties they must discuss and agree this with their manager and submit a Flexible Working Request (please refer to Sonic Healthcare UK's Flexible Working Policy).

If the employee has recently given birth or is breast feeding and is unable to return on the intended date because an Occupational Health Doctor considers them either incapable of carrying out all or part of their duties for a reason connected to pregnancy or childbirth, or that these duties would be a risk, Sonic Healthcare UK will seek to provide temporary alternative work with no loss of pay.

Depending on specific circumstances, where it is not reasonably practicable to offer alternative employment, sickness absence or paid leave of absence will be given pending resolution. These issues must be discussed between the manager and employee as soon as possible in conjunction with Occupational Health and Human Resources and where required, their Trade union rep.

7.4.23 Premature birth

If the child is born before their expected due date and the employee had booked to take SPL within the first eight weeks of the due date, they may take the same period of time off after the actual birth without having to provide eight weeks' notice, by submitting a notice to vary their leave as soon as is reasonably practicable. Unlike most other variation notices, this would not count as one of the employee's three notifications.

Any leave arranged after the first eight weeks of the due date is still bound by the eight-week notice required to vary leave. If the child is born more than eight weeks before the due date and the notice of entitlement to SPL and/or a notice to book SPL have not yet been given, then there is no requirement to give eight weeks' notice before the period of leave starts. The notices should be given as soon as is reasonably practicable after the actual birth.

7.4.24 Death of a child before or during birth, or within the first year

Should the child die before the parents have submitted a notice of entitlement to take SPL then they cannot opt into SPL because a qualifying condition is caring for a child. The parent will remain entitled to maternity leave and the partner could still qualify for statutory paternity leave.

If the parents have opted into SPL and they have booked leave, they will still be entitled to take the booked leave. No further notice booking leave can be submitted and only one variation notice can be given to reduce a period of leave or to rearrange a discontinuous leave arrangement into a single block of leave.

An employee who is absent on SPL may cancel agreed SPL and return to work by giving their employer eight weeks' notice of their return to work. The bereaved parent may return earlier after discussion with manager.

7.4.25 Partner no longer caring for the child

If the circumstances of an employee who has booked SPL change so that they will no longer be responsible for caring for the child (unless it is because the child has died), their entitlement to both SPL and ShPP will immediately cease and they must tell their employer.

If the employee has any SPL arranged within eight weeks of their entitlement ceasing, their employer can still require them to take it as SPL if it is not reasonably practicable for the employer to have their employee in work, for example because cover has been arranged. Any weeks of SPL arranged after eight weeks of their entitlement ceasing must be cancelled.

If the remaining parent will be continuing to care for the child then they will still be eligible to take their SPL entitlement. If the other parent, who is no longer caring for the child had any SPL leave entitlement outstanding, the remaining parent will only be able to transfer it into their own entitlement if they can get the signed agreement of the other parent to a notice confirming a variation of leave entitlement.

7.4.26 Death of a parent during the first year

If the partner dies and the other parent is taking, or is entitled to SPL then they will continue to be eligible. Any SPL that was due to be taken by the deceased parent may be transferred to the other parent if the other parent is eligible for SPL.

Should it be necessary for the other parent to take a further period of SPL or to vary pre-agreed leave then notice may be given as soon as is reasonably practicable if eight weeks' notice cannot be given. If they have already given three notices to take leave they must be allowed to submit one further notice to book/amend SPL.

7.4.27 Multiple births / adoptions

An employee is not entitled to extra SPL or ShPP if they are expecting more than one child. This also applies to multiple adoptions that occur in a single placement.

Approval and Ratification

Name of Document: Sonic Healthcare UK Maternity, Paternity, Adoption and Parental Leave Policy

This policy was agreed between Management and Staff Side at Sonic Healthcare UK Partnership Group Meeting in August 2023

Name of Management Chair: Ekta Marfatia

Signature: Ekta Marfatia
Ekta Marfatia (Oct 12, 2023, 10:41am)
Date: 12 Oct 2023

Name of Staff Side Chair ratifying this document: Beverley Wallace

Signature: Beverley Wallace
Beverley Wallace (Oct 25, 2023, 2:31pm)
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Fri, 13th Oct 2023 7:41:12 UTC	Ekta Marfatia viewed the envelope. (83.244.233.110)
Thu, 12th Oct 2023 10:41:09 UTC	Document emailed to Beverley.Wallace@tdlpathology.com (35.177.102.124)
Thu, 12th Oct 2023 10:41:06 UTC	Ekta Marfatia viewed the envelope. (83.244.233.108)
Thu, 12th Oct 2023 10:41:06 UTC	Sent the envelope to Beverley Wallace (Beverley.Wallace@tdlpathology.com) for signing (83.244.233.108)
Thu, 12th Oct 2023 10:41:05 UTC	Ekta Marfatia signed the envelope (83.244.233.108)
Thu, 12th Oct 2023 10:40:43 UTC	Ekta Marfatia viewed the envelope. (83.244.233.108)
Thu, 12th Oct 2023 10:23:56 UTC	Document emailed to Ekta.Marfatia@tdlpathology.com (18.170.54.251)
Thu, 12th Oct 2023 10:23:52 UTC	Sent the envelope to Ekta Marfatia (Ekta.Marfatia@tdlpathology.com) for signing (83.244.233.110)
Thu, 12th Oct 2023 10:22:47 UTC	Beverley Wallace has been assigned to this envelope (83.244.233.110)
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