



MATERNITY, NEONATAL, PATERNITY AND ADOPTION LEAVE POLICY

Date: May 2026

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1. Introduction to the Policy

This policy sets out the statutory and contractual rights of employees of **Byram House (operated by IMS Care LTD)** in relation to maternity, neonatal care, paternity and adoption leave and pay. The policy applies to all employees (including agency workers who have a contract of employment with the home) who meet the qualifying conditions. **The Home is Byram House, which comprises the two residences at 62 Deighton Road and 66 Deighton Road.** This policy applies equally across both residences.

Byram House is committed to supporting employees during pregnancy, childbirth, neonatal care, adoption and early parenthood. We will comply fully with all relevant employment legislation and will not discriminate against employees on the grounds of pregnancy or maternity.

The objectives of this policy are to:

- Inform employees of their statutory rights regarding maternity, paternity, adoption and neonatal care leave and pay.
- Ensure compliance with the **Employment Rights Act 1996**, the **Social Security Contributions and Benefits Act 1992**, the **Maternity and Parental Leave etc Regulations 1999**, the **Statutory Neonatal Care Leave and Pay Regulations 2025**, the **Employment Rights Act 2025**, and the **Equality Act 2010**.
- Provide clear guidance on notification, eligibility, leave periods, pay rates, and return to work procedures.
- Protect the health and safety of new and expectant mothers through risk assessment and (where necessary) suspension on full pay.

This policy does not form part of any contract of employment. The Company reserves the right to amend it at any time in line with changes to legislation or operational requirements.

2. How this Policy Benefits the Home

This Maternity, Neonatal, Paternity and Adoption Leave Policy benefits Byram House in the following ways:

- **Legal Compliance** – It meets duties under the **Employment Rights Act 1996, Equality Act 2010, Statutory Neonatal Care Leave and Pay Regulations 2025**, and the **Employment Rights Act 2025** (which strengthens protections against redundancy during pregnancy and maternity leave).
- **Employee Support** – It provides clear information on leave entitlements, pay, and return to work rights, reducing anxiety and improving staff retention.
- **Health and Safety** – It requires risk assessments for pregnant employees and provides for maternity suspension on full pay where risks cannot be otherwise controlled.
- **Clarity for Managers** – It sets out step-by-step procedures for notification, record keeping, and return to work.
- **Inspection Readiness** – The **Social Care Common Inspection Framework (SCCIF) 2026** expects the home to demonstrate good employment practices. This policy provides evidence.
- **Up-to-Date** – It includes the **Neonatal Care Leave and Pay** entitlement (effective from April 2025), which was introduced by the Neonatal Care Leave Act 2025.

3. Definitions & Legislation

3.1 Definitions

Term	Definition
Home	Byram House (62 & 66 Deighton Road), operated by IMS Care LTD.
EWK	Expected Week of Confinement – the week in which the baby is expected to be born.
Ordinary Maternity Leave (OML)	The first 26 weeks of maternity leave (statutory).
Additional Maternity Leave (AML)	The second 26 weeks of maternity leave (statutory).
Statutory Maternity Pay (SMP)	Weekly pay provided by the employer (reimbursed from HMRC) for eligible employees.
Neonatal Care	Care provided to a baby in a hospital or other setting for 7 consecutive days or more within the first 28 days of life.
SNCL	Statutory Neonatal Care Leave – leave for parents of babies requiring neonatal care.
Matching Certificate	Evidence from an adoption agency confirming that a child has been matched with an adopter.
KIT Days	Keeping in Touch days – up to 10 days during maternity/adoption leave when an employee can work without losing pay or leave rights.

3.2 Key Legislation and Statutory Guidance

Legislation / Guidance	Key Provisions	Relevance to this Policy
Employment Rights Act 1996	Sections 71–73 – right to maternity leave. Sections 75–80 – paternity and adoption leave.	Foundational legislation.
Equality Act 2010	Protects pregnant employees and new mothers from discrimination (including unfavourable treatment).	The home must not discriminate on grounds of pregnancy or maternity.
Maternity and Parental Leave etc Regulations 1999	Sets out detailed rules for OML, AML, notice, and return to work.	Used for notification and return to work procedures.
Statutory Maternity Pay (General) Regulations 1986	Governs SMP eligibility and payment.	Used for SMP calculations and duration.
Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002	Governs SPP and SAP.	Used for paternity and adoption pay.
Neonatal Care Leave (Statutory) Regulations 2025 (made under the Neonatal Care Leave Act 2025)	Introduced from April 2025. Entitles parents to up to 12 weeks' leave (paid) where a baby requires neonatal care for 7 consecutive days or more.	This policy includes SNCL provisions.
Employment Rights Act 2025	Effective 6 April 2026. Extends redundancy protection to cover	The home must prioritise pregnant employees and

	pregnancy and up to 18 months after birth.	returning mothers for suitable alternative roles.
Health and Safety at Work etc Act 1974 / Management of H&S Regs 1999	Requires risk assessment for new and expectant mothers.	The home must carry out risk assessments and, if necessary, suspend on full pay.
Data Protection Act 2018 & UK GDPR	Governs handling of medical evidence (Mat B1 certificates, etc.).	Records must be kept securely and retained for 6 years.

4. The Policy

4.1 General Principles and Scope

This policy applies to all employees of Byram House (IMS Care LTD) who meet the qualifying conditions for maternity, paternity, adoption or neonatal care leave. **Agency workers** may have separate rights under the Agency Workers Regulations 2010; this policy does not cover them unless they have a contract of employment with IMS Care LTD.

Employees should notify their line manager (or the Registered Manager) as soon as possible when they become aware of a pregnancy or planned adoption, to enable risk assessments and planning.

4.2 Maternity Leave and Pay

4.2.1 Antenatal Care

All pregnant employees are entitled to **paid time off** for antenatal care (including medical examinations, scans, and parenting classes recommended by a healthcare professional). Time off will be paid at basic rate plus any applicable shift premiums.

- For the first appointment, no proof is required.
- For subsequent appointments, the employee may be required to provide, on request, a certificate from a registered midwife or doctor confirming the pregnancy, together with an appointment card.

Fathers or partners may also be entitled to time off for up to two antenatal appointments (paid) under the Employment Rights Act 1996 – see Paternity section.

4.2.2 Notification and Eligibility

To qualify for **Statutory Maternity Leave** and **Statutory Maternity Pay (SMP)**, the employee must:

- Notify the Registered Manager (or HR) **in or before the 15th week before the EWC**, providing:
 - Confirmation that she is pregnant.
 - The expected week of childbirth (EWC).
 - The intended start date of Ordinary Maternity Leave (which cannot be earlier than 11 weeks before the EWC).
- Produce a **Mat B1 maternity certificate** (available from a doctor or midwife after the 26th week of pregnancy). SMP cannot be paid until the Mat B1 is received.
- Have been **continuously employed for at least 26 weeks** ending with the 15th week before the EWC (the “qualifying week”).
- Have **average weekly earnings** not less than the Lower Earnings Limit (LEL) for National Insurance contributions.

The earliest date that Maternity Leave can commence is **11 weeks before the EWC**. The latest is the week in which the baby is born. If the employee is absent due to a pregnancy-related illness in the 4 weeks before the EWC, the Company may commence the Maternity Pay Period from the day after the first day of that absence.

Change of start date: The employee may vary the intended start date by giving the Company **28 days’ notice** (or as soon as reasonably practicable).

4.2.3 Ordinary Maternity Leave and Additional Maternity Leave

- **Ordinary Maternity Leave (OML)** : 26 weeks from the date leave commences.
- **Additional Maternity Leave (AML)** : a further 26 weeks, commencing at the end of OML (total up to 52 weeks).

During OML and AML, the employee is entitled to continue to receive all **non-pay-related** contractual benefits (e.g., pension contributions, holiday accrual, use of company property). The employee is bound by obligations of good faith, confidentiality, and restrictions on other business activities.

Compulsory leave period: The employee must take at least **2 weeks off after the birth** (4 weeks if working in a factory). This is part of OML.

4.2.4 Statutory Maternity Pay (SMP)

SMP is payable for a maximum of **39 weeks**.

- **First 6 weeks:** 90% of the employee's average weekly earnings (AWE).
- **Remaining 33 weeks:** Either the **statutory flat rate** (set annually by the Government) or 90% of AWE if that is lower than the flat rate.

The **Maternity Pay Period (MPP)** cannot start earlier than the 11th week before the EWC. It ends when the employee returns to work (if before the full 39 weeks) or after 39 weeks.

If the employee **returns to work before the end of the MPP**, liability for SMP ends on the day of return. If the employee starts work for another employer after the birth, responsibility for SMP may end (see detailed rules – managers should contact HR).

Non-payment: If the employee does not qualify for SMP, the Company will provide a **SMP1 form** explaining the decision, and the employee should apply to HMRC for **State Maternity Allowance**.

4.2.5 Keeping in Touch (KIT) Days

During maternity leave, the employee may agree to work for the Company or attend training for up to **10 KIT days** without bringing the leave to an end or losing a week's SMP. The Company is not obliged to offer KIT days, nor is the employee obliged to accept. KIT days are paid at the employee's normal daily rate.

4.2.6 Return to Work

- **Return at the end of full 52 weeks:** The employee does not need to give advance notice; she simply presents herself for work on the day after the 52-week period ends.

- **Early return (before the end of OML or AML):** The employee must give at least **8 weeks' written notice** of her intended return date.
- **Right to return after OML:** The employee is entitled to return to the **same job** on terms no less favourable.
- **Right to return after AML:** The employee is entitled to return to the **same job** (or, if not reasonably practicable, to a suitable alternative position on terms no less favourable).

If the employee is sick at the end of maternity leave, the Company's normal sickness absence policy applies. Failure to return without notice will be treated as unauthorised absence.

4.2.7 Risk Assessments and Maternity Suspension

The Registered Manager must carry out a **risk assessment** for any employee who notifies them of pregnancy, covering:

- Physical risks (lifting, standing, exposure to infection, stress).
- Chemical or biological risks (COSHH).
- Working hours and facilities (rest breaks, suitable seating).

If a risk cannot be avoided by reasonable measures (e.g., altered duties, reduced hours), and no suitable alternative role is available, the employee must be **suspended on full pay** for as long as necessary to avoid the risk. Maternity suspension is **not** counted as maternity leave.

4.2.8 Records

The following records must be kept for at least **6 years after the end of the tax year** in which the maternity leave ended:

- Mat B1 certificate (or copy).
- Dates of leave as notified.
- Weeks in which SMP was paid and amounts.
- Weeks in the MPP for which SMP was not paid, with reasons.

4.3 Neonatal Care Leave and Pay (Effective from April 2025)

From **April 2025** (under the Neonatal Care Leave Act 2025 and subsequent regulations), eligible employees are entitled to **Statutory Neonatal Care Leave (SNCL)** if their baby:

- Requires **neonatal care** (in a hospital or other setting) for **7 consecutive days or more**, starting within the first 28 days of the baby's life.

Key provisions:

- SNCL is available to **both parents** (including biological parents, adoptive parents, parents through surrogacy, and partners).
- Entitlement is up to **12 weeks** (pro-rated per child for multiple births).
- SNCL is **paid** at the same rate as statutory paternity pay (flat rate or 90% of AWE if lower).
- Leave can be taken in **flexible blocks of one week or more**.
- The leave can be taken:
 - While the baby is still in neonatal care, or
 - Within **7 days after care ends**, or
 - At any time within **68 weeks of the birth** (subject to notice).
- Employees must give written notice **15 days in advance** for blocks of leave taken after the baby has been discharged home (or as soon as reasonably practicable).
- SNCL is available from **day one of employment** (no qualifying period).

Procedure for employees:

1. Notify the Registered Manager as soon as reasonably practicable (for leave during the neonatal period, notice can be given after leave has started).
2. Provide evidence (a signed statement from a medical professional or hospital confirming the baby has received neonatal care for 7 consecutive days).

3. Agree the start date and duration of leave (in weekly blocks).

The Company will respond within 14 days confirming the leave and pay arrangements.

4.4 Adoption Leave and Pay

4.4.1 Eligibility and Notification

Employees who adopt a child through an approved adoption agency are entitled to **Adoption Leave** (up to 52 weeks) provided they:

- Have **26 weeks' continuous service** ending with the week in which they are notified of having been matched with a child.
- Provide the Company with a **matching certificate** from the adoption agency.
- Notify the Company **no later than 7 days after being notified of the match** (or as soon as reasonably practicable), stating:
 - The expected date of placement.
 - The intended start date of Adoption Leave.

The earliest start date is **14 days before the expected placement**.

4.4.2 Ordinary and Additional Adoption Leave

- **Ordinary Adoption Leave (OAL)** : 26 weeks.
- **Additional Adoption Leave (AAL)** : a further 26 weeks (total 52 weeks).

Rights and obligations are the same as for maternity leave (non-pay benefits continue during OAL and AAL; KIT days available).

4.4.3 Statutory Adoption Pay (SAP)

SAP is payable for **39 weeks** at the same rates as SMP (first 6 weeks: 90% of AWE; remaining 33 weeks: flat rate or 90% if lower). Eligibility requires average weekly earnings above the LEL.

4.4.4 Return to Work

- After OAL: right to return to the **same job**.
- After AAL: right to return to the **same job** (or a suitable alternative if not reasonably practicable).
- Early return: **8 weeks' written notice** required.

4.5 Paternity Leave and Pay

4.5.1 Ordinary Paternity Leave

Employees who are the biological father, the mother's husband/partner, or one member of a couple who has jointly adopted a child are entitled to **Ordinary Paternity Leave** if they:

- Have or expect to have responsibility for the child's upbringing.
- Have **26 weeks' continuous service** ending with the 15th week before the baby is due (or the week of matching for adoption).

Leave entitlement:

- **1 or 2 consecutive weeks** (not odd days).
- Leave can start on:
 - The date of birth (or placement for adoption), or
 - A chosen date after the birth/placement, or

- A predetermined date later than the first day of the week in which the baby is expected.

Leave must be completed within **56 days** of the actual birth (or 56 days after the expected week of birth if the baby is born early) or, for adoption, within 56 days of placement.

4.5.2 Statutory Paternity Pay (SPP)

SPP is payable for the chosen 1 or 2 weeks at the same flat rate as the lower rate of SMP (or 90% of AWE if lower). Eligibility requires average weekly earnings above the LEL.

4.5.3 Notification and Return to Work

Employees must notify the Registered Manager (in writing) by the **15th week before the EWC** (or within 7 days of matching for adoption), providing:

- The EWC (or matching date).
- The number of weeks of leave (1 or 2).
- The intended start date.

The Company may request a self-certificate form (SC3 or equivalent). Employees can change the start date by giving **28 days' notice**.

After paternity leave, the employee is entitled to return to the **same job**.

5. How the Home Trains its Staff About this Policy

Byram House provides training to ensure managers and employees understand this policy.

Training Element	Frequency	Method / Content
Induction for new managers	Upon appointment	Overview of statutory leave rights, notification procedures, risk assessments, record keeping, and the dual-site operation (62 & 66 Deighton Road).
Annual refresher for managers	Every 12 months	Updates to legislation (e.g., Neonatal Care Leave, Employment Rights Act 2025), case studies, and compliance reminders.
Employee awareness	Via handbook / intranet	Employees are signposted to the policy and encouraged to discuss any entitlements with their line manager.

Staff are required to:

- Read and sign this policy (managers) annually.
- Managers must ensure they comply with notification and risk assessment duties.

6. Related Policies and Guidance

- Health and Safety Policy (Risk Assessment)
- Equality and Diversity Policy
- Data Protection Policy
- Disciplinary and Grievance Policy
- Code of Conduct and Ethics Policy
- Working Together to Safeguard Children 2026
- ACAS guidance on pregnancy and maternity

7. Policy Approval and Review Details



Home	Byram House	
Reviewed by	Danyaal Iqbal / Mustafa Amin	Deputy Manager / Registered Manager
Approved by	Stacey Wagstaffe	Responsible Individual
Date	May 2026	