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To: Councillor Copland, Convener; Councillor Al-Samarai, Vice-Convener; Councillor David Cameron, the Lord Provost; Councillor Steve Delaney, the Depute Provost; and Councillors Boulton, Davidson, McLeod, Thomson and Tissera.

Trade Union Advisers: Doug Haywood and Jacqueline Munro (EIS); Kevin Masson and David Willis (GMB); Jason Currie and 1 vacancy (SSTA); David Cadenhead and Mark Musk (UNISON); 1 vacancy and Mishelle Gray (UNITE); Fiona Sales (UCATT) and Rob Stephen and 1 vacancy (VOICE).

Town House,
ABERDEEN, 23 January 2026

STAFF GOVERNANCE COMMITTEE

The Members of the **STAFF GOVERNANCE COMMITTEE** are requested to meet in **Committee Room 2 - Town House on MONDAY, 2 FEBRUARY 2026 at 10.00am. This is a hybrid meeting and Members may also attend remotely.**

The meeting will be webcast and a live stream can be viewed on the Council's website.
<https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON
CHIEF OFFICER – GOVERNANCE

B U S I N E S S

NOTIFICATION OF URGENT BUSINESS

1.1. There are no items at this time

DETERMINATION OF EXEMPT BUSINESS

2.1. There are no items of exempt business

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

3.1. Members are requested to declare any interests

DEPUTATIONS

4.1. None at this time

MINUTE OF PREVIOUS MEETING

5.1. Minute of Previous Meeting of 3 November 2025 - for approval (Pages 3 - 6)

COMMITTEE PLANNER

6.1. Committee Business Planner (Pages 7 - 10)

NOTICES OF MOTION

7.1. None at this time

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

8.1. None at this time

GENERAL BUSINESS

9.1. Bairns Hoose Staffing Model - F&C/26/012 (Pages 11 - 18)

9.2. Family Friendly Project - CORS/26/011 (Pages 19 - 232)

Integrated Impact Assessments related to reports on this agenda can be viewed [here](#)

To access the Service Updates for this Committee please click [here](#)

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Stephanie Dunsmuir, email sdunsmuir@aberdeencity.gov.uk

STAFF GOVERNANCE COMMITTEE

ABERDEEN, 3 November 2025. Minute of Meeting of the STAFF GOVERNANCE COMMITTEE. Present:- Councillor Copland, Convener; Councillor Al-Samarai, Vice-Convener; Councillor David Cameron, the Lord Provost; Councillor Steve Delaney, the Depute Provost; and Councillors Boulton, Davidson, McLeod, Thomson and Tissera.

Trade Union Advisers:- Kevin Masson and Neil Watson, GMB; Doug Haywood and Jacqueline Munro, EIS; David Cadenhead and Brenda Massie, UNISON; and Fiona Sales, UCATT.

The agenda and reports associated with this minute can be located [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

1. Councillor Thomson made a general statement of transparency by virtue of her membership of UNISON Grampian Health Branch. She did not consider that this amounted to an interest which required to be declared and would prevent her from participating in the meeting.

MINUTE OF PREVIOUS MEETING OF 25 AUGUST 2025

2. The Committee had before it the minute of its previous meeting of 25 August 2025 for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

3. The Committee had before it the business planner as prepared by the Chief Officer – Governance.

The Committee resolved:-

- (i) to note the reasons for the delays to items 4 (Bairns Hoose) and 8 (Leadership and Management Development Update), and that officers had advised that the Bairns Hoose report was on track to be presented to the next committee cycle;
- (ii) to agree to remove items 9 (Managing Substance Misuse Policy) and 10 (Corporate Health and Safety Policy) from the planner; and

STAFF GOVERNANCE COMMITTEE
3 November 2025

- (iii) to otherwise note the planner.

CORPORATE HEALTH & SAFETY QUARTERLY UPDATE - JULY TO SEPTEMBER 2025 - CORS/25/249

4. The Committee had before it a report by the Executive Director Corporate Services which presented a summary of statistical health and safety performance information for the 3-month reporting period July to September 2025 to provide the Committee with the opportunity to monitor compliance with health and safety legislation.

The report recommended:-

that the Committee note the report and provide comment on the health, safety policy, performance, trends, and improvements.

The Committee resolved:-

to note the report.

POLICIES FOR PEOPLE UPDATE - CORS/25/251

5. With reference to article 8 of the minute of its meeting of 26 June 2023, the Committee had before it a report by the Executive Director Corporate Services which presented data on the application of the Managing Discipline, Managing Grievances and Dignity and Respect at Work policies.

The report recommended:-

that the Committee –

- (a) note the updated data provided regarding the usage and application of the policies; and
- (b) note the improvement actions planned to improve progress on timescales for employee relations casework across the organisation within a joint action plan.

The Committee resolved:-

- (i) to note that officers would review the presentation of the data relating to average days taken for investigation outcomes (page 42) in future reports to include the median value to allow clarity as to whether figures were affected by one or two cases which had exceeded deadlines for particular reasons; and
- (ii) to approve the recommendations.

STAFF GOVERNANCE COMMITTEE
3 November 2025

SUPPORTING ATTENDANCE AND WELLBEING POLICY - CORS/25/198

6. With reference to article 5 of the minute of its meeting of 1 November 2018, the Committee had before it a report by the Executive Director Corporate Services which sought approval for a revised Supporting Attendance and Wellbeing Policy.

The report recommended:-

that the Committee approve the updated Supporting Attendance and Wellbeing Policy in the Appendix to replace the current version of the policy, which was approved in 2018, with an implementation date of 1 February 2026 to allow for necessary training to be arranged, communications to be undertaken and other administrative arrangements to be completed.

The Committee resolved:-

- (i) to note that officers would take on board the feedback from Members in relation to how data was presented in charts in future reports (for example, using patterning as well as colour to differentiate, and checking that data was clear in the charts);
- (ii) to approve the updated Supporting Attendance and Wellbeing Policy in the Appendix to replace the current version of the policy, which was approved in 2018, with an implementation date of 1 February 2026 to allow for necessary training to be arranged, communications to be undertaken and other administrative arrangements to be completed, with the exception of Appendix 1 (Application of Supporting Attendance and Wellbeing Policy to Teachers (SNCT and LNCT Provisions));
- (iii) to note that the Chief Officer – People and Citizen Services would discuss Appendix 1 with Trade Unions, noting that any minor adjustments could be made under delegated authority; and
- (iv) to request that the Chief Officer – People and Citizen Services provide an update to Members and Trade Union Advisers outwith the meeting on (a) the changes made to Appendix 1 and (b) the outcome from the December LNCT meeting as to whether the policy had been ratified.

- **COUNCILLOR NEIL COPLAND, Convener**

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	A	B	C	D	E	F	G	H	I	
1	STAFF GOVERNANCE COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.									
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred	
3	2 February 2026									
4	Volunteers Policy	The revised policy was approved at Committee in January 2025 - due for annual review	Report will not be required if there are no changes to be made	Isla Newcombe	People & Citizen Services	Corporate Services	2.5	R	No requirement for changes this year - will be reviewed in 2027	
5	Bairns Hoose	To present an update to Committee		Graeme Simpson	Children's Social Work and Family Support	Families and Communities	2.2			
6	Mortuary Staff Move	To present an update to Committee following completion of the new mortuary at Aberdeen Royal Infirmary		Hazel Stevenson	Governance	Corporate Services	2.2	D	Officers advise that the mortuary has only recently opened and as such, propose to report to the next meeting in April 2026 as it has not been possible to meet the reporting deadlines for the February Committee, which fell towards the end of December 2025	
7	Managing Performance Policy and Procedure	The revised policy was approved at Committee in January 2024 - due for review January 2026	Report will not be required if there are no changes to be made	Isla Newcombe	People & Citizen Services	Corporate Services	2.5	R	No requirement for changes this year - will be reviewed in 2027	

A	B	C	D	E	F	G	H	I	
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Leadership and Management Development Update	SGC 03/10/22 - to agree that an annual update on the refreshed approach to leadership and management development be presented to Committee SGC 25/08/25 - to instruct the Chief Officer – People and Citizen Services to report to Anti-Poverty and Inequality Committee on progress against the action plan, in line with relevant statutory deadlines. This report to include the progress of the Aspiring Leaders and Accelerator Schemes to ensure these are achieving the Council's ambitions to develop future leaders from underrepresented groups <i>and to present an update to the Staff Governance Committee regarding any impacts this report has on the Equality, Diversity and Inclusion Action Plan, including any changes, updates or new areas of focus identified through available data and analysis.</i>		Isla Newcombe	People & Citizen Services	Corporate Services	2.4	D	Officers have delayed this report from this cycle to allow time for evaluation of the various strands of development, including an emphasis on equalities as agreed at SGC on 25 August (item 9.2 - Employee Equality Diversity and Inclusion Action Plan). Officers consider that it would be beneficial to the Committee to incorporate the instruction from that meeting into the Leadership and Management Development update report
8	Family Friendly Policies	SGC 24/06/24 - to instruct the Chief Officer – People and Citizen Services to report back to Staff Governance Committee in one year's time with updated policies and documentation for approval	Noted at June 2025 meeting that the substantive employee trade union engagement required had not yet completed due to current business demands. Report now expected at first meeting in 2026	Linsey Blackhurst	People & Citizen Services	Corporate Services	2.5		
9									
10	20 April 2026								
11	EAS Annual Progress Update Occupational Health and Absence Annual Update	To present an annual report for the EAS/OH & Sickness Absence figures		Sharon Robb	People & Citizen Services	Corporate Services	2.7		
12	Corporate Health & Safety Quarterly Update	To present the quarterly update		Colin Leaver	Governance	Corporate Services	3.2		
13	29 June 2026								
14	Employee Mental Health Action Plan Annual Progress Update	To provide an update in relation to the employee mental health action plan		Fiona Lindsay	People & Citizen Services	Corporate Services	3.2 iii		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Corporate Health & Safety Quarterly Update	To present the quarterly update		Colin Leaver	Governance	Corporate Services	3.2		
15	Cluster Risk Register	To present the risk register and assurance maps		Isla Newcombe	People & Citizen Services	Corporate Services	GD 8.4		
16									
17			24 August 2026						
18	Corporate Health & Safety Quarterly Update	To present the quarterly update		Colin Leaver	Governance	Corporate Services	3.2		
19			2 November 2026						
20	Corporate Health & Safety Quarterly Update	To present the quarterly update		Colin Leaver	Governance	Corporate Services	3.2		
21	Staff Travel Plan & Policy	NZET 18/11/25 - to instruct the Chief Officer – Strategic Place Planning and Chief Officer - People and Citizen Services to update the Staff Travel Policy and report a draft of the Policy to the Staff Governance Committee within the next 12 months		David Dunne / Isla Newcombe	Strategic Place Planning / People & Citizen Services	Corporate Services	2.5		
22	Leadership and Management Development Update	SGC 03/10/22 - to agree that an annual update on the refreshed approach to leadership and management development be presented to Committee		Sandie Scott	People & Citizen Services	Corporate Services	2.4		
23	Managing Substance Misuse Policy	The revised policy was approved at Committee in November 2023 - to be reviewed annually	Report will not be required if there are no changes to be made	Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
24	Corporate Health & Safety Policy	To present the revised Health & Safety Policy	Report will not be required if there are no changes to be made	Colin Leaver	Governance	Corporate Services	2.5		
25	People Policy Data	SGC 26/06/23 - to instruct the Chief Officer - People and Organisational Development to report disciplinary, grievance and dignity and respect at work data to the Staff Governance Committee on an annual basis		Lesley Strachan	People & Citizen Services	Corporate Services	2.5, 2.7		
26			2027						

	A	B	C	D	E	F	G	H	I
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
27	Flexible Working Policy	The revised policy was approved at Committee in January 2025 - due for review February 2027		Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
28	Fleet Driver Policy	The revised policy was approved at Committee in April 2025 - due for review April 2027		Patric Bakhuisen	Operations	City Regeneration and	2.5		
29	Supporting Attendance and Wellbeing Policy	The revised policy was approved at Committee in November 2025 - due for review November 2027		Sharon Robb	People & Citizen Services	Corporate Services	2.5		
30	REPORTING DATE TO BE CONFIRMED								
31	Employee Code of Conduct	To present an update on the Employee Code of Conduct		Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
32	Impacts on Equality, Diversity and Inclusion Action Plan	SGC 25/08/25 - to instruct the Chief Officer – People and Citizen Services to report to Anti-Poverty and Inequality Committee on progress against the action plan, in line with relevant statutory deadlines. This report to include the progress of the Aspiring Leaders and Accelerator Schemes to ensure these are achieving the Council's ambitions to develop future leaders from underrepresented groups and to present an update to the Staff Governance Committee regarding any impacts this report has on the Equality, Diversity and Inclusion Action Plan, including any changes, updates or new areas of focus identified through available data and analysis.		Baldeep McGarry	People & Citizen Services	Corporate Services	2.6		
33	People development policy / guidance	To seek approval of the policy		Isla Newcombe	People & Citizen Services	Corporate Services	2.5		

ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance Committee
DATE	2 February 2026
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Aberdeen City Bairns Hoose – Integrated Working
REPORT NUMBER	F&C/26/012
EXECUTIVE DIRECTOR	Eleanor Shepherd
CHIEF OFFICER	Graeme Simpson
REPORT AUTHOR	Graeme Simpson
TERMS OF REFERENCE	2.2

1. PURPOSE OF REPORT

- 1.1 To share with Committee members the development of an integrated staffing model to deliver Aberdeen City's Bairns Hoose.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 note the update of progress made by the Aberdeen City Pathfinder to deliver a Bairns Hoose for Aberdeen City's children and young people;
- 2.2 note the integrated staffing model being utilised to deliver the Bairns Hoose Service;
- 2.3 note the University of Edinburgh will continue to evaluate the Partnership's delivery of a Bairns Hoose, at least, until 31 March 2027; and
- 2.4 note the Chief Officer, Children & Family Support Services/CSWO has been instructed to provide a service update to the Education and Children's Services Committee in June 2026.

3. CURRENT SITUATION

3.1 Background

- 3.1.1 The Scottish Government's vision for a Bairns Hoose in Scotland is that "*All children in Scotland who have been victims or witnesses to abuse or violence, as well as children under the age of criminal responsibility whose behaviour has caused significant harm or abuse will have access to trauma informed recovery, support and justice.*"
- 3.1.2 A Bairns Hoose is based on the concept of 'four rooms'. It brings together the four elements of **justice, health, social work and recovery support** into a single setting, delivering integrated and compassionate support to best meet

the needs of children who are victims of abuse and/or witnesses to violence as well as children under the age of criminal responsibility whose behaviour has caused significant harm to others. Delivery of the ‘four rooms’ can only be achieved on a multi-agency and collaborative basis.

- 3.1.3 In July 2023 the Scottish Government invited applications from Partnerships to become a Bairns Hoose Pathfinder. Aberdeen City was awarded “Pathfinder Status” in November 2023. The unused part of the Links Hub was identified as a location for the Bairns Hoose. As a Pathfinder, Aberdeen City has been awarded some funding to support the system and practice change required to deliver the [Bairns’ Hoose standards – Healthcare Improvement Scotland](#). The national Pathfinder phase will run until 31 March 2027.
- 3.1.4 To oversee the multi-agency transformational change required, a Bairns Hoose Delivery Group was established with a number of workstreams. The Delivery Group reports directly to the Child Protection Committee and the Public Protection Chief Officer Group.

3.2 Current Situation

- 3.2.1 Work to redevelop the empty space at the Links Hub to deliver a Bairns Hoose was concluded in Summer 2025. The Bairns Hoose began to be operational on an incremental basis from August 2025. All “four rooms” are now fully operational.
- 3.2.2 While redevelopment of the building has been concluded, delivery of a Bairns Hoose and of the practice standards go well beyond the physical space. It requires transformational change to multi-agency practice, systems and processes. All key delivery partners – Police Scotland; NHS Grampian; Children’s Social Work have committed to adopt a co-location approach to our Bairns Hoose. Additionally, as part of our Pathfinder, we have partnered with Children First to deliver a recovery service from our Bairns Hoose.
- 3.2.3 Staff from the Scottish Children’s Reporter Administration (SCRA); Crown Office (COPFS) and Scottish Court & Tribunal Service (SCTS) will utilise the Bairns Hoose remote court facility as required.
- 3.2.4 The Bairns Hoose Standards place significant emphasis on the need to consider staff, who are delivering the Bairns Hoose service as one team - **Standard 10: Multidisciplinary staff training and support - The people who help me at the Bairns’ Hoose work as a team. They get the help they need to do their jobs well.**

3.3 Staff Located in the Bairns Hoose

- 3.3.1 **Child Interview Staff** - Aberdeen City has moved to ensure all children, interviewed as part of a child protection investigation, are interviewed by staff trained in the Scottish Child Interview Model (SCIM). This is a trauma informed and rights respecting model which seeks to secure best evidence from a child, mitigating them having to recount their abusive experiences on multiple occasions. Consequently Police Scotland and Social Work staff who are SCIM trained are located in the Bairns Hoose.

3.3.2 Interviewers are reporting that the design and technology of the interview rooms has significantly increased the quality of the interviews. The relaxed environment is allowing children to feel more comfortable and able to engage more effectively in the interview. Feedback from the children and young people also speaks positively about how they feel within the Bairns Hoose.

3.3.3 Health Staff - A health coordinator has been embedded within the Bairns Hoose. This role will undertake initial health and wellbeing medicals and screen children for unmet health needs. The coordinator will connect with existing health professionals connected to the child/young person to progress identified actions. Their role will also consider the needs of parents/carers recognising that responding to their needs is often the most effective means to support the recovery of children/young people from their harmful experiences.

3.3.4 A specific test of change is being undertaken to embed specialist Speech and Language Therapy (SALT) within Bairns Hoose to enhance communication support for children and young people. The focus will be on identifying communication needs before interviews/court attendance. The project's success will be measured through training, feedback, case studies, and an impact report to guide future service development.

3.3.5 Utilising ring fenced Scottish Government funding, additional paediatrician capacity has been created. This is enabling, when required, forensic medicals to be undertaken in the Bairns Hoose. This is a first in Scotland and learning from this will inform national practice.

3.3.6 Recovery Staff - Children First is a national children's charity committed to protecting children from harm and supporting recovery from trauma and abuse. They are leading the development of a child-focused recovery offer, providing recovery, rights, and advocacy support. They will deliver tailored support for families through the court and legal processes ensuring appropriate levels of recovery service are in place.

3.3.7 Recognising recovery supports may already be in place and/or may not always require to take place through the confines of Bairns Hoose, we are working to strengthen links to other existing support services, such as our Fit Like Wellbeing Hubs. Children First additionally are collaborating with Victim Support Scotland, Cybersafe Scotland, and Rape Crisis Scotland to ensure appropriate access to support and knowledge that will guide children and their families appropriately.

3.3.8 Many children and young people will not be in a position to accept recovery support in the immediate aftermath of a disclosure. It is therefore critical that effective pathways exist for children, young people and their families to access support at a future point in time when they need it. Working with schools across the Northfield ASG we are testing a referral pathway that will enable access to recovery support at a time that is right for the child.

3.3.9 Remote Court Facility - Collaboration via a 'Justice' workstream plans improvement within our legal processes and systems. Families tell us attending Court can be a traumatic experience. The intention from the outset is that by

gathering best evidence we reduce the instances of this happening. However, where it does have to happen, we have developed a remote court facility which will enable children and young people to give evidence from a child centred and familiar environment.

3.3.10 Bairns Hoose Coordinator - The Bairns Hoose Standards emphasises the need for children, young people and families to experience Bairns Hoose support in a seamless coordinated and integrated manner. Critical to the success of this approach is the role of the Bairns Hoose Coordinator ensuring timely, joined-up responses to children's needs.

3.3.11 Their involvement will commence from the Interagency Referral Discussion enabling them to identify a point of contact who will support the young person and family to come to the Bairns Hoose for a joint interview and afterwards to ensure they receive appropriate post interview support. This will include ensuring the child and family are supported to give evidence to court where this is deemed necessary.

3.4 Evaluation

3.4.1 Aberdeen City's Bairns Hoose progress is being evaluated, by the University of Edinburgh (UoE). It is underpinned by a Programme Theory designed to measure progress against national standards, ensure continuous improvement, and inform future service delivery.

3.4.2 The evaluation aims to test whether the model improves outcomes for children across five areas: recovery, safety, justice, rights, and reduction of systems harm. Five core assumptions guide the approach:

1. A dedicated, child-friendly Bairns Hoose building will enhance children's comfort, safety, and evidence quality.
2. Multi-agency coordination, led by a Bairns Hoose Coordinator, will ensure timely, joined-up responses to children's needs.
3. Access to tailored recovery support, including Advocacy, Rights and Recovery (ARR) workers, will improve outcomes for children and families.
4. Justice processes will be less harmful through trauma-informed interviews, remote court access, and better communication.
5. Updated forensic medical protocols and broader health assessments will support children's physical and mental recovery.

3.4.3 The UoE have also surveyed staff from across the Aberdeen City partnership. The survey offers key insights, notably that current practice is felt to evidence a strong initial response, but weaker long-term support, especially for recovery. The main barriers to improvement were felt to be high workloads, limited resources, and inconsistent multi-agency collaboration. Justice processes were noted to be distressing and needed to be more child friendly. Professionals felt that there were knowledge gaps in relation to the Bairns Hoose model.

3.4.4 Since this survey, improvement activity has been progressed, resulting in enhanced information sharing among all agencies regarding developments. Our children have been involved in helping us produce documentation on Bairns Hoose services, and those who might benefit from a recovery service

have been offered this following a joint investigative interview where appropriate.

3.5 Workforce Development

3.5.1 The Bairns Hoose standards highlight the need for partnerships to develop “**joint training and supervision to all relevant staff.**” Professional supervision is core to the social work task but less so for other staff groups located in the Bairns Hoose. However, all agencies provide responsive and flexible support to their staff recognising the highly sensitive nature of the work.

3.5.2 The design of the Bairns Hoose provides “breakout spaces” for staff to utilise. Given the nature of the work and the risk of exposure to vicarious trauma the need for trauma informed space is not only relevant to children and young people but also staff. The spaces are adaptable to accommodate one to one support or for larger group debriefs supporting the learning and wellbeing of staff.

3.5.3 Multi-agency learning activity to date includes:

- Legal Webinar – attended by over 120 people COPFS and Police Scotland delivered a webinar to enhance understanding for “staff who are providing direct support to children and families are offered training in court procedure and how to provide court support.”
- SALT Input – Input from specialist SALT staff to support SCIM interviewers use a variety of tools including Talking Mats to foster a more inclusive communication approach/environment.
- Roles and responsibilities – There was an acknowledgment that assumptions can develop as to the various roles and responsibilities of staff. While we are keen to ‘blur the edges’ of roles, making the time to clarify roles and responsibilities has enhanced collaborative working.

Over the course of the coming year the Learning and Development lead for the Child Protection Committee will continue to engage with Bairns Hoose staff to explore how we continue to support their wellbeing and enhance their development.

4. FINANCIAL IMPLICATIONS

4.1 Subject to continuing pathfinder funding there are no financial implications arising out of this report.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications arising out of this report.

6. ENVIRONMENTAL IMPLICATIONS

6.1.1 There are no environmental implications arising from this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risks identified	NA	NA	NA
Compliance	The Scottish Government policy is that every child in Scotland will have access to a Bairns Hoose service by 2025. It is anticipated that national reporting will in future include reporting against the Bairns Hoose Standards.	The Child Protection Committee has primary oversight on progress to develop and deliver a Bairns Hoose. Regular reporting will be shared with Aberdeen's Public protection Chief Officers Group.	L	Y
Operational	Ensuring the effective planning for children and young people who have experienced harm or Aberdeen City has a well-established Child Protection data reporting. Those whose behaviour poses a risk to others is central to the planning for all children and young people. Children's Social Work and Police Scotland have lead responsibility to investigate allegations of abuse or where children's behaviour poses a concern to others.	Aberdeen City has a well-established Child Protection data reporting framework. Going forward the framework will include reporting against the Bairns Hoose Standards.	L	Yes
Financial	No risks identified	NA	NA	NA

Reputational	Failure to deliver on the Brains Hoose standards will have a reputational impact on the Council. It will also adversely impact on the assessment of Children's Services within future strategic joint inspections.	By being a pathfinder the Council will benefit from support from the National Bairns Hoose team to deliver a high quality service.	L	Yes
Environment / Climate	No risks identified	NA	NA	NA

8. OUTCOMES

COUNCIL DELIVERY PLAN	
	Impact of Report
Aberdeen City Council Policy Statement	<p>Ensuring the effective planning for children and young people has a direct relevance to the delivery of the following statements contained within the Council Delivery Plan:</p> <ul style="list-style-type: none"> • Ensure local services identify young people with mental health problems and help them get early support and help. • Ensure the Council follows best practice as a corporate parent to get the best outcomes for looked after young people, those in kinship care and those with additional support needs such as autism, developmental disorders or mental health problems • Continue to seek to support young people to receive care in Aberdeen, through fostering, adoption and other services and seek to reduce “out of authority” placements.
Aberdeen City Local Outcome Improvement Plan	
Prosperous People Stretch Outcomes	<p>Ensuring the effective planning for children and young people for whom secure care might be considered has a direct relevance to the following stretch outcomes in the LOIP:</p> <ol style="list-style-type: none"> 3. 95% of all children will reach their expected developmental milestones by their 27-30 month review, by 2026 4. 90% of children and young people will report that they feel listened to all the time, by 2026. 5. By meeting the health and wellbeing emotional needs of our care experienced children and young people, they will have the same levels of attainment

	<p>in education and positive destinations as their peers by 2026.</p> <p>6. 95% of children living in our priority neighbourhoods (quintiles 1&2) will sustain a positive destination upon leaving school by 2026.</p> <p>7. 83.5% fewer young people (under 18) charged with an offence by 2026.</p>
Regional and City Strategies	The work of Aberdeen City Council's regulatory care services is relevant to Aberdeen City Council Delivery Plan, the Local Outcome Improvement Plan, the Children's Services Plan and the IJB Strategic Plan.
UK and Scottish Legislative and Policy Programmes	<ul style="list-style-type: none"> • National Care Service Bill • Delivery of The Promise/Plan 21 -24/Plan 24 - 30 • Whole Family Wellbeing Support

9. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	As Chief Officer, I confirm that an impact assessment is not required for this report.
Data Protection Impact Assessment	Not required for this report.
Other	Not required for this report.

10. BACKGROUND PAPERS

None

11. REPORT AUTHOR CONTACT DETAILS

Name	Graeme Simpson
Title	CO – Children & Family Services/CSWO
Email Address	gsimpson@aberdeencity.gov.uk

ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance
DATE	2 February 2026
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Family Friendly Project
REPORT NUMBER	CORS/26/011
EXECUTIVE DIRECTOR	Andy MacDonald – Executive Director – Corporate Services
CHIEF OFFICER	Isla Newcombe – Chief Officer People and Citizen Services
REPORT AUTHOR	Linsey Blackhurst – Interim Organisational Change and Design Lead
TERMS OF REFERENCE	2.5

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval for a revised Family Leave Policy and also amendments to the Special Leave Policy.

2. RECOMMENDATIONS

That Committee:-

- 2.1 Approves the updated Family Leave Policy, with an implementation date of 1 April 2026 to allow for necessary training to be arranged, communications to be undertaken and other administrative arrangements to be completed.
- 2.2 Notes the accompanying guidance documents to the Family Leave Policy which provide employees and managers with relevant information on the range of family leave options, including details on the available provisions, eligibility criteria, application requirements and support options.
- 2.3 Approves the updated Special Leave Policy, amended to account for changes to the Family Leave Policy and in response to the requirements of the Council's gold accreditation of the Defence Employer Recognition Scheme.

3. CURRENT SITUATION

Background

- 3.1 The Family Friendly Policy was approved in December 2015, and is supported by accompanying guidance documents covering the following specific leave provisions; maternity, adoption, paternity, shared parental leave, carer's, neonatal, IVF and parental bereavement. These guidance documents have been introduced and/or reviewed and updated in recent years, as required, including in response to legislative changes.

3.2 The Family Friendly Project represents a proactive initiative by the Council to ensure that its policies and practices reflect the evolving needs of its workforce in a changing legislative, national and organisational landscape. With the new Employment Rights Act 2025, and other family leave government reviews in progress, it is more important than ever to review our family leave provisions and prepare for changes that will come into effect during 2026 and 2027. With consideration also to the Council's key strategic drivers, the project ensures inclusive policies that support a diverse range of caring responsibilities and compliance with best practice standards. In turn with a focus on building a supportive and flexible workplace, this will create a working environment where all employees feel valued, respected, and empowered to balance their work and family commitments effectively.

3.3 Aberdeen City Council's vision is for Aberdeen as a place where all people can prosper. This means all people being able to access our services, regardless of their background and circumstances, so that we help all people, families, businesses and communities to do well, succeed and flourish in every aspect.

3.4 The Council's Workforce Strategy and Delivery Plan aims to enable employees to thrive personally and professionally with a key strategic objective which states that Aberdeen City Council is a supportive, caring employer that provides a range of mental health and wellbeing interventions and support; supports staff through the cost of living crisis; recognises and supports work/life balance and enables individuals to remain in work or return to work effectively. The family friendly project links to these aims as a component which seeks to enable this objective.

3.5 The employee experience survey undertaken between December 2024 and January 2025 provided valuable insights into employee perspectives, with the associated action plan including the Family Friendly policy review. The survey:

- highlighted that flexible and hybrid working arrangements are highly valued by staff. 92% of those in roles that support flexible/hybrid working enjoy the flexibility, and 85% agree it helps their work/life balance. 72% believe flexibility supports equality, diversity, and inclusion (EDI) across the organisation. This is a cornerstone of a family friendly workplace, as it enables employees to better manage caring responsibilities and personal commitments.
- identifies wellbeing as a priority, with 66% feeling supported by their manager to maintain positive wellbeing and 61% able to strike the right balance between home and work life. However, only 45% agreed the Council is a caring employer, and 41% that employee wellbeing is seen as a priority, indicating room for improvement in demonstrating care and prioritising wellbeing - key aspects of a family friendly culture.

3.6 The Scottish Women's Budget Group Action Plan, approved at the Anti-Poverty and Inequality Committee on 26 November 2025, recommends ensuring employees who are kinship carers can access paid leave and flexible working to support a child/young person moving into their care.

3.7 A family friendly workplace, characterised by flexible working, supportive leave policies, and a culture of inclusion, directly contributes to several LOIP priorities, including:

- Supporting carers and parents: By providing paid leave and flexibility, the Council and its partners help prevent carers from leaving the workforce, reducing the risk of poverty and supporting positive outcomes for children.
- Promoting equality, diversity, and inclusion: Family friendly policies help ensure that all employees, regardless of caring responsibilities, can participate fully in work and community life.
- Improving health and wellbeing: Supporting employees to manage caring and work reduces stress and improves overall wellbeing, which is a key LOIP outcome.

3.8 The Equality, Diversity & Inclusion Action Plan, approved at Staff Governance Committee on 25 August 2026, sets out Aberdeen City Council's commitment to fostering an inclusive, diverse, and equitable environment for all employees. This commitment is foundational to a family friendly workplace, as it ensures that policies including family leave are designed and implemented with fairness, respect, and the needs of all employees in mind.

Legal Landscape

3.9 The Employment Rights Bill 2024, which received Royal Assent on 18 December 2025, introduces reforms to enhance family related rights in the workplace. These changes aim to provide greater support and flexibility for employees, while also outlining new responsibilities for employers.

3.10 Better support for new parents is high on both parents' and government agendas, with Working Families', the UK's national charity for working parents and carers reporting that a 2024 poll revealed that 92% of parents think it's important for new fathers and partners to take time off work to care for their new baby in its first year, with active campaigns calling for a comprehensive review of parental leave, which the government has now launched.

3.11 The government's review of shared parental leave, launched on 1 July 2025, and anticipated to last 18 months, will look at the whole system – including the maternity, paternity and shared parental leave and pay frameworks, to see how it can work better for parents and employers. Currently the system is complicated and doesn't always give families the support they need. One in three dads do not take paternity leave because they cannot afford to, and take up of shared parental leave remains very low.

Scope of review

3.12 In scope of the review is the Special Leave Policy and Family Leave Policy, along with accompanying guidance documents, which apply to all employees of the Council except teachers and those other employees on Scottish Negotiating Committee for Teachers (SNCT) terms and conditions.

3.13 Employees on SNCT terms and conditions have, under Part 2 Section 7 of the SNCT Handbook, separate family leave provisions, which are agreed at

national level, with a locally agreed Leave of Absence Policy. This policy, along with any accompanying guidance documents, will be reviewed as a separate exercise in collaboration with teaching trade union colleagues. This will take into consideration proposals under this report.

3.14 In respect of the workforce in scope the workforce data shows that the Council has a female dominated workforce and that it is predominantly female employees who work part time across the organisation:

	Part Time	Full Time
Male	559	1781
Female	4533	1866

How the review was conducted

3.15 A project team was formed to fully review and develop the Council's family leave provisions, including an update to the current Family Friendly Leave Policy and accompanying guidance documents to:

- ensure employees have access to a range of family leave provisions available to assist them with a variety of family and caring responsibilities, aimed to create a well-managed, flexible working environment that supports employees to meet both work and caring commitments.
- provide clarity for managers in applying the leave options to support employees accordingly and ensure consistency.
- ensure they are reflective of ACAS guidelines, CIPD best practice guidance and any current or upcoming legislation.

3.16 Research was undertaken, alongside benchmarking with other local authorities, partner organisations as well as with other private and third sector organisations, to identify best practice examples of family friendly provisions and workplaces. This has included consideration of the following:

- Best practice guidance (CIPD, ACAS)
- Current and potential future legislation, including the Employment Rights Act 2025
- Council's Workforce Delivery Plan
- Employee Experience Survey 2024/2025 Results and Actions
- Equality, Diversity & Inclusion Action Plan
- Scottish Women's Budget Group Action Plan
- Local Outcome Improvement Plan
- Related accreditations and pledges e.g. Carer's Positive accreditation, Equally Safe at Work accreditation and Baby Loss Pledge
- Flexible Working
- Mental Health and Wellbeing
- Returning to Work after Family Leave

3.17 Engagement has taken place over the course of the project with Trade Unions, managers and employees to establish how well the current provisions support the needs of the workforce, capture any concerns and identify areas for

improvement both in respect of the range of provisions and the application of these.

- 3.18 The research and engagement feedback reinforced the importance of ensuring employees and managers are aware of the family leave provisions available, with good access to policies, guidance and supporting resources to help navigate through their options, make informed choices, with managers well positioned to provide consistent and appropriate support and decisions.
- 3.19 Data on special leave and family leave was gathered and analysed to understand the current usage of current provisions and practice. This suggested opportunity to improve family leave recording via the HR/Payroll system to provide better data reporting, and also the expansion of options to enhance support and help ensure consistency in the leave type approved.
- 3.20 Job Families have been considered so that information is accessible in a way that suits the needs of different employee groups.
- 3.21 The policy and accompanying guidance have given consideration to other related policies, such as the Flexible Working Policy to ensure that these provide consistency and clarity.

Policy Changes

- 3.22 Taking all the feedback and research into account, a revised Family Leave Policy, and accompanying guidance documents have been developed. The table below sets out a summary of the areas where there are proposed changes.
- 3.23 Through these proposals the Council is reaffirming its commitment to being a supportive, inclusive and forward-thinking employer. The Council's intent is to ensure that all employees have access to fair, flexible, and comprehensive family leave provisions that reflect both the evolving needs of the workforce and latest and upcoming legislative requirements. By aligning the revised policies with current and forthcoming legislation, the Council is not only ensuring legal compliance, but also demonstrating leadership in best practice. Employees will have access to a wider range of leave options, acknowledging the diversity of family and caring responsibilities, and ensuring support during some of life's most challenging moments.

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
Special Leave Policy	Includes details of family leave provisions in appendix summarising leave options.	<p>Removal of any details on family leave provisions with those now fully incorporated in the Family Leave Policy, to remove duplication.</p> <p>Employee is directed to the Family Leave Policy for full family leave provisions.</p>	Clarity on which provisions fall under which policy to avoid any confusion.
Special Leave Policy	<p>Reservists leave payments subject to the deduction of service pay and allowances received from the forces.</p> <p>Cadet Force Adult Volunteers eligible for maximum of 5 days paid special leave</p>	<p>Reservists leave payments NOT subject to the deduction of service pay and allowances received from the forces.</p> <p>Cadet Force Adult Volunteers eligible for a maximum of 10 days paid special leave.</p>	In accordance with the Council's gold accreditation of the Defence Employer Recognition Scheme.
Family Leave Policy	Policy title: Family Friendly Policy	Policy Title: Family Leave Policy	Amended to take account of feedback from corporate policy group to give clarity around scope of policy. Aligns with existing Special Leave Policy.
Family Leave Policy	Out of date policy format and doesn't cover all family leave options.	<p>Format updated to reflect corporate policy template.</p> <p>All family leave provisions are now reflected in one central policy.</p>	<p>Alignment with corporate policy template and governance arrangements.</p> <p>Central reference point for all family leave provisions, with clear sign posting to the accompanying guidance documents – responds to feedback relating to lack of clarity on options available.</p>
Parental Leave	Entitlement to unpaid leave to look after child's welfare, in accordance with statutory provisions.	Day one employment right	Employment Rights Act will remove any length of service requirements for parental leave. Roadmap indicates that this change will take effect in April 2026.

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
	<p>Up to a maximum of 4 weeks unpaid leave per child per year, up to a total of 18 weeks leave for each child up to their 18th birthday – available to each parent of the child.</p> <p>Requirement to have at least 1 year's continuous service with the Council in accordance with statutory provision.</p>		
Time off for dependants/ family emergencies	<p>Aligned with statutory right to unpaid reasonable time off to deal with unforeseen and emergency matters regarding a dependant.</p> <p>Day one employment right.</p>	<p>Entitlement to 1 day paid leave per unforeseen and emergency matter, up to a maximum of 3 days per year.</p> <p>Statutory right to unpaid leave remains</p>	<p>Benchmarking showed that provision across other local authorities varies, with some providing up to 5 days paid leave, and others in accordance with statutory provisions.</p> <p>Proposed provision reduces ambiguity, with managers and employees knowing what to expect, preventing confusion during a crisis. Employees feel supported and potentially less stressed, in a situation which may already be difficult or worrying, without then being concerned about leave provisions. Helps to manage requests fairly and avoid potential uncertainty over what equates to 'reasonable time'.</p>
Supporting Carers	One week unpaid carer's leave per year in accordance with statutory requirements under the	<p>One week unpaid statutory carer's leave per year (no requirement to be a registered carer)</p> <p>OR</p>	Benchmarking showed that other local authorities provide an option for one week paid leave, including Renfrewshire Council, Moray Council, Highland Council, Edinburgh Council,

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
	<p>Carer's Leave Act 2023 for employee's who are caring for a dependant with a long term care need.</p> <p>Day one employment right.</p>	<p>One week paid registered carer's leave per year subject to the employee being registered as a carer. Evidence to be provided from either a GP or other health professional signature, local carers centre or social work department for confirmation.</p>	<p>St Andrews University, and Disclosure Scotland (2 weeks paid leave). Requirement for evidence to qualify for paid leave consistent with others and assists in preventing abuse.</p> <p>Focus Group feedback told us that paid leave would be beneficial as taking unpaid leave is not possible due to financial constraints. Employees tend to use annual leave/flexi for appointments, and in extreme circumstances due to stressful situation has resulted in sickness absence.</p> <p>The government is currently undertaking a review of Carer's Leave, launched in autumn 2024 and being carried out in 3 key phases. Anticipated to conclude by the end of 2026. Review is considering the merits of further policy development such as the introduction of: a paid leave entitlement, a one-off, extended unpaid leave entitlement, a paid leave entitlement for the parents of seriously ill children and other situational paid leave entitlements to support carers in specific circumstances (such as individuals providing end of life care)</p>
Supporting Carers	<p>Statutory unpaid carer's leave can be taken as half days, full days or a whole week in accordance with statutory provisions.</p> <p>Employees who use annual leave for caring</p>	<p>Provision for 1 week carers leave per annum remains unchanged. Ability to take the leave in hourly blocks, as well as the current options of half days, full days or a whole week.</p> <p>Employees can request for their annual leave to be converted to hours so that they do not</p>	<p>Increase flexible way in which carer's leave can be used and help the employee to maximise use of available leave and minimise time away from work.</p> <p>Carer Positive Scotland advise it is best practice to offer flexibility to suit individual needs.</p>

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
	responsibilities, where leave is managed in days can only request a minimum of a half day off, in accordance with ACC leave arrangements.	need to request a minimum of half a day leave for caring responsibilities, when they may only require 1-2 hours to attend an appointment with their dependant.	<p>Feedback from the Carer's Focus Group told us that the ability to take leave in hours would help employees plan and utilise their leave better to attend appointments etc with their dependant.</p> <p>Research tells us that 40% of working carers reported that they needed more flexibility at work. Previous research by Carers UK has found that 600 people a day have given up work to care.</p>
Supporting Carers	Kinship Carer's Leave – no current provision	<p>Up to 2 weeks paid Kinship Carer's Leave, regardless of the kinship situation, for employees entering into a new kinship carer arrangement, and have the child/ren living with them or are preparing for them to live with them. To be taken in blocks of one week, at time of kinship arrangement or within the first 3 months.</p> <p>For formal kinship arrangements, leave to attend up to 5 appointments during the assessment approval process up to a maximum of 7 hours for each appointment. This would be comparable to leave provided for adoption assessment.</p>	<p>Supports wider council aims and outcomes including:</p> <ul style="list-style-type: none"> - corporate parenting with a focus on reducing the risk of poorer outcomes for looked after children, care experienced young people and care leavers. - The LOIP - Stretch outcome 5 - By meeting the health and emotional wellbeing needs of our care experienced children and young people they will have the same levels of attainment in education and positive destinations as their peers by 2026. - SWBG Action Plan recommendation: ensuring employees who are kinship carers can access paid leave and flexible working to support a child/young person moving into their care. <p>Research by charity KINSHIP tells us that where no support is offered by an organisation 41% left employment altogether. Where an individual</p>

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
			<p>leaves employment there is a greater likelihood that the family unit will move into poverty and can lead to the children entering the care system.</p> <p>Feedback from colleagues working in the areas of kinship and fostering indicated that the proposals would help support vulnerable children and their family unit.</p>
Supporting Carers	Foster Carer's Leave – no current provision	<p>Up to 4 days paid leave to attend training for fostering, under stage 3 of the fostering process.</p> <p>Leave to attend up to 5 appointments during the assessment approval process up to a maximum of 7 hours for each appointment. This would be comparable to leave provided for adoption assessment.</p>	<p>Corporate drivers – as above for kinship carer's leave.</p> <p>Focus group feedback indicated that an identified barrier to becoming a foster carer was around the time required to attend training. By offering paid leave this barrier is removed, and foster carers no longer need to use annual leave or request unpaid leave.</p> <p>Feedback from colleagues working in the areas of kinship and fostering indicated that the proposals would help support vulnerable children and their family unit.</p>
Supporting Carers	No Carer Passport	Introduce a Carer Passport, similar to the Reasonable Adjustment Passport, to gather information, support conversations and provide for consistency of support throughout the employee's employment.	<p>Feedback from Carers Focus Group that this would support employees to share their caring situation.</p> <p>Carer Positive Scotland, which the council is accredited with, require organisations to be able to identify their carers to demonstrate their</p>

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
			<p>commitment to being carer positive. They suggest using a Carer Passport or Register.</p> <p>A workplace should have a supportive and comfortable environment where there is no stigma attached to carers identifying themselves. However, the choice of carers to identify themselves should still be respected, understanding that some people may not want to disclose their situation.</p> <p>Benchmarking showed that other organisations have in place a carer's register (e.g. Scottish Courts and Tribunal Service, Renfrewshire Council, Highland Council, NHS Education Scotland) and/or Carers Passport (Highland Council, Scottish Government)</p>
Supporting Carers	No Carers Support Group	<p>Introduce a peer led carer support network.</p> <p>The network would advertise events and offer support and share experiences with colleagues within the Council.</p>	<p>Focus Group feedback told us that a Peer Support Group would be welcomed and felt that it would enable carers to work better if able to attend groups and be supported</p> <p>Carer Positive Scotland accreditation require organisations to have peer support available. Knowing that they are 'not alone' and that others understand the demands and challenges is an important element of support.</p> <p>Benchmarking showed us that others have similar in place (e.g. Dumfries and Galloway Council, Highland Council, West Dunbartonshire</p>

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
			<p>Council, South Lanarkshire Council, Standard Life, Wheatley Group, Disclosure Scotland)</p> <p>Workforce delivery plan - Employee Networks are in place that provide communities of common interest with collective support / Support a diversity of voices that build powerful collective action: Create “alumni” style groups – communications, ongoing learning, benefits, shared learning and development, ongoing involvement and engagement and support the expansion of networks across the organisation including a focus on ED&I, mental health and wellbeing and frontline engagement</p>
Supporting Carers	<p>Leavers Support Scheme - provides for employees who leave employment to care for a dependant to maintain work related contact with the council for a period of 5 years, with the opportunity for a minimum of 2 weeks work in each of these years.</p> <p>Approved 1997 by Personnel Committee.</p>	Remove Leavers Support Scheme.	<p>The Leavers Support Scheme was introduced in the 1990s and has rarely been utilised by employees, and is now no longer fit for purpose.</p> <p>The introduction of new digital tools to enable employees to work more flexibly, legislative changes giving the right for employees to make flexible working requests, as well as the introduction of policies and guidance such as the Flexible Working policy, Supporting Carers in the Workplace, providing flexibility in an employee’s work-life balance, and access and support for those with caring responsibilities has superseded the need for this scheme.</p>
IVF	There is no legal right for time off work for IVF	Introduce paid IVF Leave for the purpose of receiving and recovering from fertility	Benchmarking showed that other organisations provide for specific paid IVF leave, including e.g.

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	<p>treatment or related sickness.</p> <p>For the employee undergoing IVF treatment appointments are treated the same as any other medical appointment.</p> <p>For the employee who is supporting their partner undergoing IVF treatment they are required to take annual leave, unpaid or work flexibly to attend appointments.</p>	<p>treatment and to attend appointments specifically associated with the process:</p> <p>For employees undergoing IVF treatment - 5 days paid IVF Leave per treatment cycle, limited to one cycle in a 12 month period, up to a maximum of 3 cycles in total.</p> <p>For employees supporting their partner undergoing IVF treatment - 2 days paid IVF Leave per treatment cycle, limited to one cycle in a 12 month period, up to a maximum of 3 cycles in total.</p> <p>Over and above this leave, medical appointment leave would apply and/or other leave options (e.g. annual leave, unpaid leave, flexi leave) could be considered, as is the current position.</p>	<p>St Andrews University, RGU, Tesco, Angus Council, East Ayrshire Council, Fife Council and Moray Council</p> <p>Research tells us that each year about 7,000 patients and partners are referred from primary care to secondary and tertiary care across Scotland with about 4,300 treatments performed in the four NHS tertiary Fertility Centres located in Aberdeen, Dundee, Edinburgh and Glasgow. (Scotland NHS Statistics).</p> <p>IVF births are making up a higher proportion of all UK births over time, increasing to over 3% in 2023 from less than 1.5% in 2000, around 1 in 32 UK births – roughly one IVF child in every classroom.</p> <p>In line with CIPD best practice that highlights that employees value paid time off to attend appointments, understanding from the manager that it can be a challenging time, understanding from colleagues that it can be a challenging time, flexibility of working hours and option to work from home when needed.</p> <p>Identified barriers include employees needing to use annual leave to attend IVF appointments (in contrast to other medical appointments)</p>
Parental Bereavement	Up to two weeks paid leave, at normal	<p>Extend entitlement to cover pregnancy loss which occurs before 24 weeks, including:</p> <ul style="list-style-type: none"> • Miscarriage: the loss of a pregnancy 	Employments Rights Act 2025 will extend bereavement leave to include pregnancy loss that occurs before 24 weeks of pregnancy.

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
	<p>contractual pay, following the death of a child.</p> <p>2 weeks leave, day one employment right, is in accordance with statutory provisions, with a child regarded as being under 18 years of age, including a baby who only lives for a short time after birth – this can be at any stage of the pregnancy, or a baby that is still born after at least 24 weeks of pregnancy.</p> <p>Payment at normal contractual pay, is an enhancement to the statutory provision which is for 2 weeks statutory parental bereavement pay at 90% of average weekly earnings or £187.18 a week, whichever is lower and where qualifying criteria are met.</p>	<p>before 24 weeks</p> <ul style="list-style-type: none"> • Abortion: a medical or surgical procedure to end a pregnancy. • Ectopic pregnancy: when a fertilised egg implants and grows outside of the uterus. • Molar pregnancy: a rare form of pregnancy in which a non-viable fertilised egg implants in the uterus and will fail to reach full term. <p>To support this extension inclusion of new information and advice in relation to pregnancy loss / miscarriage for employees and managers.</p> <p>New supporting information on pregnancy loss in the workplace and protection for time off after a miscarriage.</p>	<p>Consultation in progress with new measures expected to take effect in 2027.</p> <p>Implementation of changes now mean we are not only demonstrating our commitment to staff wellbeing, but we are also recognising being one of the first local authorities to have in place such a provision.</p> <p>CIPD research highlights that supporting employees when they experience pregnancy or baby loss has a positive impact on their mental wellbeing (60%), performance in their job (55%), as well as their commitment and intention to stay with their employer (58% and 57% respectively).</p> <p>If employees feel supported and can access helpful adjustments at work, resources and/or flexibility, they are more likely to feel able to carry on working to the best of their ability. Conversely, having to negotiate for time off and pay can add to emotional distress, resulting in the need to take a longer period off work or even leaving the organisation.</p> <p>ACC data suggests that there is an under reporting of pregnancy loss pre 24-weeks, with only 3 miscarriages being recorded in the last 2 years. Engagement suggests that where pregnancy loss does occur paid special leave / compassionate leave may be being used and/or employees may use annual leave or take time</p>

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			<p>off work due to sickness. Proposed change will support in consistency.</p> <p>The Council has made a commitment under the Pregnancy Loss Pledge to support employees who experience pregnancy loss, of which includes implementing a pregnancy loss policy or guidance, or ensure it is included in sickness, bereavement or other workplace policies.</p>
Adoption Leave	<p>Primary Adopters are eligible for paid leave for 5 appointments, up to 6.5 hours per appointment.</p> <p>Secondary Adopters are eligible for unpaid leave for 2 appointments, up to 6.5 hours per appointment.</p> <p>Current provisions are in accordance with statutory provisions.</p>	<p>Change max time for appointment to up to 7 hours.</p> <p>Introduce paid leave for Secondary Adopters to attend appointments in line with the paid time off for Primary Adopters – 5 appointments, up to 6.5 hours per appointment.</p>	<p>Align max appointment time with Council's standard working day of 7 hours. Support employees and managers in managing the time off needed and remove any issues around the 30mins of the standard working day currently not provided for under the leave provisions.</p> <p>Both potential parents are required to build a relationship with the child prior to being matched therefore increasing the secondary adopters entitlement as a supportive approach.</p> <p>Research tells us that the number of families adopting has increased since 2018/2019 – potentially therefore more employees will be seeking support.</p>
Adoption Leave	<p>No specific leave provision for employees attending adoption training.</p>	<p>Introduce Adoption Training Leave for up to 6 days (5 full days and two half days) paid time off to attend training.</p>	<p>Children's Social Work have confirmed there are 5 full days training and 2 half days in person training that adopters are required to attend along with online pre-recorded courses which employees can undertake in their own time.</p>

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
			<p>Currently an employee would use annual leave or unpaid leave to attend.</p> <p>There are shortages of adopters across Scotland with Children's Social Work campaigning to try to increase fostering and adoption numbers.</p>
Adoption Leave	<p>For surrogacy arrangements, unpaid leave to accompany the mother/birth parent at up to 2 ante-natal appointments – in accordance with statutory provisions.</p>	<p>Reasonable paid time off to attend ante-natal appointments, taking into account the complexities of the pregnancy.</p>	<p>Recognise important role of the employee in supporting the surrogate mother during pregnancy, and being involved throughout.</p>
Maternity Leave	<p>Overview of maternity process checklist provided which is limited in detail and not specific to the employee or line manager.</p>	<p>Introduce checklists specific to the employee and manager, covering all stages of the process.</p>	<p>Feedback told us that the current maternity overview is not very user friendly or fit for purpose. Suggested that checklists structured by the key stages of the process for employee and manager would be helpful as support mechanisms and to inform discussions.</p>
Paternity Leave	<p>Up to 2 weeks paid paternity leave on full pay for eligible employees – day one employment right.</p> <p>Statutory provision & SJC Red Book Pay & Conditions of Service is for up to 2 weeks for employees who have been continuously employed for</p>	<p>Enhance to 4 weeks leave. First 2 weeks paid at the normal contractual rate of pay for the job and weeks 3 and 4 paid at 90% of average weekly earnings.</p>	<p>Political commitment to double paternity leave for Aberdeen City Council staff and encourage other employers in the city to do likewise WorkinginPartnershipPolicyStatement.pdf</p> <p>Government review is exploring options for improvement and potential for enhanced leave provisions. Alongside this there is significant campaigning for increased leave provisions for paternity leave, to recognise the important role of the father/ partner.</p>

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
	<p>at least 26 weeks up to any day in the 'qualifying week'.</p> <p>Payment at full pay for both weeks, is an enhancement to the SJC Red Book Pay & Conditions of Service, which provides for the first week paid at full pay and the second week paid at statutory paternity pay. Statutory provision is for 2 weeks statutory pay.</p>		<p>Payment of weeks 3 and 4 at 90% is comparable with maternity and adoption payments in the first 6 weeks.</p> <p>A report published by the Women and Equalities Committee said paternity leave rules "entrench outdated gender stereotypes".</p> <p>Significant enhanced provisions available in other European countries including: Spain - new fathers can take 16 weeks off work at full pay, France - working fathers can now spend 28 days at home while being paid, Sweden - entitled to 480 days of paid parental leave, with 90 days reserved for fathers.</p>
Paternity Leave	<p>Unpaid leave to accompany the mother/birth parent at up to 2 ante-natal appointments, for a maximum of 6.5 hours for each appointment – in accordance with statutory provisions.</p>	<p>Reasonable paid time off to attend ante-natal appointments, taking into account the complexities of the pregnancy .</p>	<p>Recognise important role of the father/partner in supporting the birth mother during pregnancy.</p>
Paternity Leave	<p>An employee cannot take paternity leave after they have taken shared parental leave, in accordance with statutory provisions.</p>	<p>An employee can take paternity leave after they have taken shared parental leave in agreement with line manager – preference to still be taken before.</p>	<p>Employment Rights Act 2025 will provide for employees to be able to take paternity leave and pay even after they have taken shared parental leave and pay. Expected that this change will take place in April 2026.</p>

Topic	Current Provision / National Requirement	Proposal / Change(s)	Rationale
Shared Parental Leave	<p>The guidance document can be complex to understand and makes reference to the specific shared paternity pay rates applicable. Arrangements are in accordance with statutory provisions.</p>	<p>Content streamlined with greater focus on sign posting to the government website, to simplify the document and ensure the employee is always referring to current information on shared parental leave pay and utilising the Shared Parental Leave calculator which assists in planning leave and can be shared with People Services to support processing.</p>	<p>Feedback from employees and managers that the guidance is difficult to follow, further complicated by the different processes for birth parents and adoptive parents. Sign posting to the government website helps to provide clear concise information, ensures accurate pay information taken into account and tools are utilised by employees to inform their plans for SPL, for what is a complex process.</p> <p>Shared paternity pay rates are reviewed and updated on an annual basis. Removing reference to specific statutory pay rates, reduces risk of guidance content becoming out of date on an annual basis. Similar approach with other guidance documents e.g. maternity and paternity.</p> <p>Provisions are comparable with other local authorities.</p>
Support and Wellbeing	<p>The content on support and wellbeing is not consistent across the guidance documents, with some containing very little and outdated signposting and guidance on available support options.</p>	<p>More comprehensive section around areas of support included in all guidance documents. Signposting and descriptions of available support – internal and external, including to the Employee Assistance Programme, Mental Health and Wellbeing resources, flexible working, and subject specific materials are detailed in the documents.</p>	<p>Feedback from both employees and managers that not always clear to know what support options are available and helpful to have further guidance/sign posting on this. Helpful to have clearer guidance on flexible working.</p> <p>Employee's expressed concerns that managers have a lack of knowledge on these. Increased awareness help to support informed considerations of available options and good discussions between the employee and line manager – in turn helping to ensure consistency in leave application.</p>

Next Steps

3.24 To ensure the successful implementation of the revised Family Leave Policy by 1 April 2026, should the policy be approved, the following actions will be taken:

- An ACC Learn training module rolled out for managers to access, as an optional training resource, to increase their knowledge and awareness of family leave provisions, and guide them in how to support their employees and manage associated conversations.
- Practical guidance for employees and employers on navigating family leave will be provided with the introduction of a Family Leave Planning Toolkit. This will be a supplementary resource to the guidance documents, bringing to life through case studies how family leave can be supported. This will complement the managers training.
- A central SharePoint Family Leave Hub on People Anytime will be launched. This will host the policy and accompanying guidance with dedicated pages for each. In addition links to related guidance (e.g. Supporting Attendance and Wellbeing) and further details on useful support options such as the employee health and wellbeing pages will be provided, with the hub regularly updated and promoted through internal communications.
- An internal communications campaign will be undertaken to raise awareness of changes. This will include leadership forum posts, intranet blogs, targeted communications for frontline including posters and toolbox talk updates, and trade unions and employee networks will be engaged to support messaging and encourage feedback.
- A calendar of family leave related events (e.g. carer's week, world prematurity day) will be developed and published, with significant dates promoted to recognise their importance and raise awareness.
- A feedback statement has been incorporated into the family leave guidance documents. This will be supplemented with a mechanism built into the Family Leave Hub providing the opportunity for visitors to the pages to share questions, and suggestions from employees and employers who have been users of the policy and guidance.
- Updates made to the HR/Payroll system to cover the enhanced range of family leave provisions, which will improve recording and reporting.

3.25 Carer's Positive Employer award – subject to approval of the carer proposals, which ensure the Council continues to meet the Level 1: Engaged award, and time afforded to embed the enhanced provisions and practices, target exploring achievement of the Level 2: Established award in approximately one year.

3.26 Kinship Friendly Employer standards – subject to the approval of the kinship care proposals, explore potential for the council to be recognised as a kinship friendly employer.

3.27 Usage and impact of the policy will be monitored through absence and leave trends, alongside feedback from managers and employees.

4. FINANCIAL IMPLICATIONS

4.1 Financial implications of family leave include costs incurred for salary of absent employees, where paid leave is provided for. This may have a direct resource implication and lead to additional costs incurred for any temporary cover that may be required to ensure continuity of business delivery – this is most likely to arise in cases of long term family leave (such as maternity, adoption or shared parental leave – for which there are no proposals to amend the long term leave and pay provisions, with current provisions continuing to apply), or for short term leave to provide cover in frontline roles.

4.2 It is anticipated that uptake of several proposed new leave provisions such as paid leave for IVF, kinship carers leave, foster carers leave, extension of parental bereavement leave to cover pregnancy loss before 24 weeks will overall be limited due to their nature. Additionally, feedback and data suggests that currently other paid leave provisions are being utilised in some of these situations, such as paid compassionate leave, paid special leave, annual leave, and/or sick leave. As a result, introducing these proposed provisions is unlikely to result in significant additional cost, with the salary expenses already accounted for and any short term temporary cover required likely to be minimal - instead these changes will help ensure greater consistency in the support provided to employees. The wider intended wellbeing and productivity of officers would be an intended balance to any additional costs that may be incurred to provide temporary cover.

4.3 In respect of the proposed enhanced paternity leave provision - again there will be costs incurred for salary of the absent employee, already accounted for, and potentially any temporary covered required. The average number of employees taking paternity leave in a year, based on the last 5 years is 29. Based on an average salary of £32,810 plus oncosts, the average cost of salary per employee is £41,340. Under the proposals, and based on these averages, the estimated cost of salary is £87,609 per year. This is only a truly incurred cost if back fill is utilised, which in the vast majority of cases will not be the case.

5. LEGAL IMPLICATIONS

5.1 The Family Leave policy and accompanying guidance documents ensure that the Council remains compliant with all current legislation relating to family leave and is well positioned and prepared for changes under the Employment Rights Act 2025 when its provisions come into force.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no environmental implications arising from this report.

7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) <small>*taking into account controls/control actions</small>	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Risk that delivery of strategic objectives is affected if leave levels are high and/or retention challenges.	Management of leave in accordance with policy and guidance, with management training to reinforce. Governance in place for approval of temporary cover. Range of family leave options to support work/life balance and mitigate retention challenges.	L	Yes
Compliance	Ability to meet our obligations under the Equality Act (2010) and risk of non-compliance with specific family leave legislation.	Policy supports compliance with current legislation, and well positioned to respond to future legislation.	L	Yes
Operational	Risk that delivery of Council services is affected by leave levels and/or retention challenges.	Range of family leave options for existing and prospective employees is intended to support mitigation of retention challenges, helping to support employees to stay in work and contribute to service delivery, whilst balancing caring responsibilities.	L	Yes
Financial	Costs incurred for salary for employees on leave and additional costs for	Management of leave in accordance with policy and guidance, with management training to reinforce. Governance in place	L	Yes

	temporary cover. Risk that non-compliance with legislation leads to legal challenge.	for approval of temporary cover. Policy compliant with legislative position.		
Reputational	Risk that the council is not viewed as an attractive employer.	Providing family leave options for current and future employees supports the Council being seen as an employer of choice.	L	Yes
Environment / Climate	No significant risks identified			

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2025-26</u>	
<u>Impact of Report</u>	
Aberdeen City Council Policy Statement	The proposals within this report support the delivery of the following aspects of the policy statement: Valuing Our Staff <ul style="list-style-type: none"> - Recognise that the council depends upon its staff to deliver the services it provides and believe the council must properly reward, train and support its staff, and - Double paternity leave for staff
<u>Local Outcome Improvement Plan</u>	
Prosperous Economy Stretch Outcomes	<p>The proposals support the delivery of:</p> <p>Stretch Outcome 1: 20% reduction in the percentage of people who report they have been worried they would not have enough food to eat and/or not be able to heat their home by 2026. The introduction of additional paid leave provisions demonstrates a caring and supportive framework offered by the Councils to its employees. This supports employees not to lose income during family crises or caring responsibilities and helps to reduce the risk of financial hardship and support household stability.</p> <p>Stretch Outcome 2: 74% employment rate for Aberdeen City by 2026. The report's policies are designed to help employees remain in work or return after family related absences, directly</p>

	<p>supporting the LOIP's employment rate target by reducing involuntary exists from the workforce.</p>
Prosperous People Stretch Outcomes	<p>The proposals support the delivery of:</p> <p>Stretch Outcome 3: 95% of children will reach their expected development milestones by their 27-30 month review by 2026. Adoption of the approach enables parents and carers to take leave for caring responsibilities, attend appointments, and support children's early development, directly contributing to this outcome.</p> <p>Stretch Outcome 4: 90% of children and young people report they feel listened to off of the time by 2026. The report's focus on wellbeing, flexible working, and support for parents/carers helps create a supportive home environment, which is crucial for children's mental health and wellbeing.</p> <p>Stretch Outcome 5: By meeting the health and emotional needs of our care experienced children and young people they will the same levels of attainment in education and positive destinations as their peers by 2026. Provisions for kinship and foster carers, and support for parents experiencing bereavement or crisis, help ensure stability and positive outcomes for care-experienced children.</p> <p>Stretch Outcome 6: 95% of children living in priority neighbourhoods will sustain a positive destination upon leaving school by 2026. By supporting parents and carers to remain in work and avoid poverty, the policies help children in disadvantaged areas achieve better outcomes.</p> <p>Stretch Outcome 10: Healthy life expectancy (time lived in good health) is five years longer by 2026. The report's emphasis on wellbeing, flexible working, and support for carers and parents contributes to improved health outcomes for employees and their families.</p>
Regional and City Strategies	<p>This report links directly with the Council's Workforce Delivery Plan – specifically Right Support: enabling employees to thrive, personally and professionally -</p> <ul style="list-style-type: none"> • Strategic Objective 2: Aberdeen City Council is a supportive, caring employer that provides a range of mental health and

	<p>wellbeing interventions and support; supports staff through the cost of living crisis, recognises and supports work/life balance and enables individuals to remain in work or return to work effectively: Family friendly policy review including paternity and shared parental leave provision</p> <ul style="list-style-type: none"> • Strategic Objective 4: Aberdeen City Council understands its diversity needs and responsibilities and meets its statutory obligations relating to ED&I: As an employer, Aberdeen City Council signs up to and works towards relevant pledges, accreditations and commitments to provide frameworks and accountability around ED&I such as Pregnancy Loss Pledge.
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9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	An integrated impact assessment has been completed for this policy.
Data Protection Impact Assessment	Not required
Other	Not required

10. BACKGROUND PAPERS

- 10.1 [Report to Staff Governance Committee 4 September 2023 – Family Friendly Policies Project Update](#)
- 10.2 [Report to Staff Governance Committee 24 June 2025 – Family Friendly Policies Project Update](#)
- 10.3 [Employee Experience Survey 2024 – 2025 – Summary of Results](#)

11. APPENDICES

- 11.1 Family Leave Policy
- 11.2 Special Leave Policy
- 11.3 Adoption Guidance
- 11.4 Maternity Guidance
- 11.5 Paternity Guidance
- 11.6 Supporting Carers in the Workplace Guidance

- 11.7 Carer Passport
- 11.8 Parental Bereavement Leave Guidance
- 11.9 Shared Parental Leave Guidance
- 11.10 Neonatal Care Leave and Pay Guidance
- 11.11 Supporting Employees undergoing IVF Treatment Guidance

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Family Leave Policy

Approved by Staff Governance Committee on XXXX with an implementation date of XXXX

Approval Date	TBC
Implementation Date	TBC
Policy Number	POL-CS-0020
Policy Author/s and Owner	Kirsty George, People & Organisational Development Advisor (Policy Author) Linsey Blackhurst, Interim People & Organisational Change Lead (Policy Author) Isla Newcombe, Chief Officer People & Citizen Services (Policy Owner)
Approval Authority	Staff Governance Committee
Scheduled Review	Every 2 Years
Changes: Feb 2026	<ul style="list-style-type: none"> Structure updated in line with the current ACC policy template Incorporates all family leave provisions available Includes the Neonatal Care Leave and Pay legislation that came into effect 6 April 2025 Enhanced provisions as detailed in appendix 1

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Appendix 1 – Family Leave policy provisions

1. Why does the Council need this Policy?

- 1.1 The Council is committed to providing an inclusive and supportive environment which promotes respect for everyone, positively impacts the quality of work-life for all employees and contributes to wider health and wellbeing, increasing productivity and reducing stress and inequality. The Council recognises that employees can have a variety of family related responsibilities that require to be balanced with their working lives, and places an emphasis on the culture of our organisation and our Guiding Principles to best support employees under these circumstances.
- 1.2 This policy details the Council's family leave provisions which are available to assist employees with a variety of family and caring responsibilities, and aims to help create a well-managed, flexible working environment that supports employees to meet both work and family commitments.
- 1.3 The Council recognises that family leave provisions can have benefits for employees through the provision of workplace flexibility and time off arrangements, which in turn can help to reduce parenting/caring stress and promote wellbeing, and also benefits for the organisation with links to increased workforce productivity and the ability to attract, motivate and retain employees.
- 1.4 All statutory responsibilities will be adhered to in relation to the provisions in this policy and every effort made to ensure fairness and consistency in decision making and the application of accompanying guidance.
- 1.5 An overview of the family leave provisions can be found in appendix 1 with links to the accompanying guidance documents.

2. Application and Scope Statement

- 2.1 This policy applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering family leave provisions.
- 2.2 This policy provides supportive provisions to employees to help them balance the demands of family and caring responsibilities through the provision of paid and unpaid leave, according to the circumstances and as detailed in the associated guidance documents.
- 2.3 There should be management agreement prior to family leave being taken in accordance with the relevant accompanying guidance.

2.4 Leave associated with the family leave policy may be granted as either paid or unpaid leave, depending on the circumstances. Clarification on this is provided in the accompanying guidance.

2.5 Details on how to apply for the different types of family leave are provided in the accompanying guidance documents available on People Anytime. Requests for leave can be made using the relevant forms and in discussion with line managers, with leave recorded through the Council's HR/Payroll system.

2.6 For any period of unpaid leave, a deduction will be made to pay which will be based on the total number of hours lost for that period. If a period of absence is over several weeks/months, the dates of any deduction will depend on payroll cycles and may be spread over more than one pay period.

2.7 Whilst on unpaid authorised leave, neither an employee nor the Council will pay pension contributions. As such, an employee will not build up pension during this period. Upon returning from unpaid leave, if the employee wishes to buy the pension "lost" while on unpaid leave they may do so by contacting the [Pensions](#) team, using an Additional Pension Contribution (APC) contract.

2.8 The Council will support employees returning to work after a period of family related leave and where possible will accommodate requests for flexible working. Flexible working requests can be refused where there is good business reason for doing so, with there being a specified list of refusal reasons detailed in the Flexible Working Guidance available on People Anytime.

2.9 Any requests or processes administered under these provisions will be dealt with as promptly as possible to ensure that all statutory and other deadlines are met.

2.10 As well as maintaining confidentiality, every effort will be made to ensure fairness and consistency in decision making in relation to the provisions in this policy.

2.11 During meetings arising under the provisions of this policy, reasonable adjustments will be made to accommodate those who need additional support.

2.12 Where an employee is dissatisfied with a decision under the provisions of this policy, they have the right to raise a grievance under the [Managing Grievances policy/procedure](#).

3. Responsibilities

3.1 The **Council** will adhere to all its statutory responsibilities in relation to the provisions of this policy.

3.2 **Chief Officers** are responsible for the application of the policy and accompanying guidance within their service delivery remit.

3.3 **Line Managers** have responsibility for applying this policy, its provisions and managing requests for leave from their employees. Line Managers are required to:

- Make every effort to ensure fairness and consistency in decision-making in relation to the provisions of this policy.
- Maintain confidentiality.
- Commit to consider options to allow employees time off to deal with situations where there is not clear statutory / standard provision.
- Effectively manage any operational impact due to employees taking time off through the provisions in the family leave policy.
- Create an environment where employees are aware of this policy and can make requests for appropriate leave/ support.
- Provide support to the employee and be considerate to the potential sensitive nature of the family leave requested.

3.4 **Employees** have a responsibility to:

- Familiarise themselves with the contents of this policy and the accompanying guidance.
- Co-operate with managers in providing accurate information and attending meetings in relation to their request for family leave.
- Notify their manager of any changes in their circumstances.

3.5 **People Services** are responsible for providing advice to managers and employees on the application of this policy.

3.5 A breach or misuse of this policy may result in the potential use of a corporate policy e.g., [Managing Discipline](#).

3.6 Non-compliance with this policy should be reported to the employee's line manager, a more senior manager or People and Citizen Services.

3.7 Any feedback on the policy or suggestions for improvement can be communicated to the Chief Officer – People and Citizen Services and this will be taken into account as part of the review of this policy. Employees who have taken family leave may be contacted to collect feedback on their experience.

4. Supporting Procedures and Documentation

4.1 Accompanying guidance documents are in place to support application and adherence to the provisions of this policy, including

- Maternity Leave
- Adoption Leave
- Paternity Leave

- Shared Parental Leave
- Supporting Carers in the Workplace
- Supporting Employees undergoing IVF Treatment
- Neonatal Care
- Parental Bereavement Leave

Appendix one provides an overview of each of the above, with further detail available in the accompanying guidance documents.

4.2 This policy also links to:

- Special Leave Policy
- Flexible Working Policy
- Supporting Attendance and Wellbeing Policy
- Equality, Diversity & Inclusion Policy
- Managing Grievances Policy and Guidance
- Gender-Based Violence Policy
- Framework Agreement for Industrial Relations (FAIR)
- Career Break Policy
- Authorised Unpaid Leave Process
- Council's Guiding Principles
- Financial Wellbeing / Cost of Living Support

5. About this Policy

5.1 The policy does not create any specific regulations or requirements other than that stated in section 3 and in the family leave provisions detailed at Appendix 1.

6. Risk

6.1 Compliance with the Family Leave policy helps ensure that the Council follows best practice and is legally compliant; with many of the leave provisions being statutory.

Operational - If employees who have a need for leave due to their personal circumstances are assisted in the workplace through this policy, it will support their wellbeing, performance and attendance levels at work; as well as meeting service requirements. Offering family leave provisions demonstrates a positive, inclusive and supportive work environment for current and future employees.

Financial - This policy has a direct contribution to employee wellbeing and supports employees with leave to deal with arising circumstances which may potentially help alleviate stress and reduce the risk of related claims against the Council.

Reputational - The policy will also contribute towards reducing reputational risks, as providing a range of family leave provisions should assist with enhancing the Council as an employer of choice and an organisation that applies good employment practices.

6.2 There have been no unintended effects, consequences and risks identified resulting from the introduction of the policy.

6.3 The risks identified will be managed and mitigated through application of the policy across the Council. This will be undertaken by ensuring the policy is readily available to managers and employees and that support is provided from People and Citizen Services in the interpretation of the policy, wherever required.

7. Environmental Considerations

7.1 There are no environmental implications arising from this policy.

8. Policy Performance

8.1 The main factors determining the effectiveness of the policy, include the usage of the policy and the consistency in its application by managers.

8.2 The effectiveness of the policy will be measured through gathering data on the requests and authorisations for family leave, and actively seeking feedback from employees who take family leave and managers who apply the accompanying guidance and support employees.

8.3 The Chief Officer – People and Citizen Services will decide where and when data is reported on the effectiveness of the policy, in conjunction with 10.1, ensuring that confidentiality is maintained.

9. Design and Delivery

9.1 The policy links to the Council's 'Workforce Design' principle in that it relates to organisational culture and promotion of equality in the workplace. Family provisions contribute to a supportive culture in the Council and are relevant to our Equality, Diversity and Inclusion responsibilities. It also aligns with the Council's Guiding Principles, particularly in relation to the commitment to valuing and supporting staff.

9.2 The policy also links to the 'Prosperous Place' theme in the Local Outcome Improvement Plan (LOIP) which indicates that all people in the city are entitled to feel safe and protected from harm and supported where necessary. All citizens are equally entitled to enjoy these aspirations, including employees of the Council. Having a wide

range of family leave provisions in place for employees will help to contribute to this objective, giving supportive provisions to cover a variety of circumstances.

10. Housekeeping and Maintenance

10.1 The Policy will be reviewed every 2 years by People & Citizen Services, and any necessary updates made to it and the accompanying guidance documents will be proposed in accordance with governance requirements, following agreed consultation arrangements.

11. Communication and Distribution

11.1 The policy and accompanying guidance documents will be communicated through the Council's Intranet and Leadership Forum, including networks for frontline staff, to ensure all relevant parties are aware of its content.

12. Information Management

12.1 Information generated by the application of this policy will be managed in accordance with the Council's Corporate Information Policy and Supporting Procedures.

13. Definitions and Understanding this Policy

13.1 Family Leave is leave provided to an employee to cover various family and/or caring scenarios where an employee requires time off from work other than for planned annual leave, special leave or leave due to sickness absence.

13.2 Worker – A worker e.g. a relief/casual worker is not an employee of the Council on set contracted hours but can be asked to cover hours as required for planned or unplanned absence. Workers are classed as having 'no mutuality of obligation' status which means that they can be offered work but are not required to accept that work. As an employer, there is no obligation to offer work to any workers.

13.2 Details and definitions of specific family leave provisions are provided in Appendix 1.

Appendix 1: Family Leave policy provisions

Maternity Leave

The provisions for pregnant employees include statutory time off for antenatal care as well as maternity leave. Employees are entitled to take up to 52 weeks' maternity leave. Subject to meeting the qualifying criteria, the Council offers occupational maternity pay above the current statutory minimum. Employees must take at least 2 weeks of compulsory maternity leave after their baby is born, in accordance with legislation.

It is essential to ensure appropriate risk assessments are undertaken, and to ensure maternity leave and pay arrangements are processed accordingly. Please see the **Maternity Guidance** for full details including time off, applicable payments and how to notify line management.

Subject to meeting qualifying criteria, an employee can choose to end their Maternity Leave and Pay at a future date and share the untaken balance of leave and pay as Shared Parental Leave and Pay with their partner or return to work early from Maternity Leave and opt in to Shared Parental Leave and Pay at a later date. The process for this is detailed in the Shared Parental Leave Guidance.

Adoption Leave

This provision is for employees who are adopting a child or having a child through a surrogacy arrangement. Depending on whether the employee is adopting from within the UK or out with, both are subject to qualifying criteria, with employees entitled to take up to 52 weeks' adoption leave. Subject to meeting the qualifying criteria, the Council offers occupational adoption pay above the current statutory minimum.

Please see the Adoption Guidance for full details including definitions of primary and secondary adopters, time off for meetings, leave, pay entitlement and how to notify line management.

Subject to meeting qualifying criteria, an employee can choose to end their Adoption Leave and Pay at a future date and share the untaken balance of leave and pay as Shared Parental Leave and Pay with their partner or return to work early from Adoption Leave and opt in to Shared Parental Leave and Pay at a later date. The process for this is detailed in the Shared Parental Leave Guidance.

Paternity Leave

This is a leave provision for the father, partner or nominated carer of an expectant mother/birth partner at or around the time of the birth. In the case of adoptions this leave is for the spouse or civil partner or partner, of the primary adopter, or for surrogacy arrangements, the spouse or partner of the parental order surrogacy parent. Paternity leave

applies, irrespective of hours of work and length of service, with the option to take up to 4 weeks leave.

Please see the **Paternity Leave Guidance** for full details.

Neonatal Care Leave

Neonatal care leave (NCL) is a leave entitlement available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth. NCL allows parents to extend their time off with their baby either whilst they are receiving care within neonatal and/or with their baby at home when they are out of hospital. Eligible parents can take up to a maximum of 12 weeks leave, with 1 week leave for every 7 consecutive days that the baby receives neonatal care. It is provided in addition to other types of family leave as mentioned in this Policy.

Please see the **Neonatal Care Leave and Pay Guidance** for full details.

Shared Parental Leave

This provisions allows eligible parents to share up to 50 weeks of leave and 37 weeks of pay, which can be taken consecutively or in separate blocks, after the birth or adoption of a child. The provisions allow employees the flexibility to choose how to share the care of their child with their partner during the first year of birth or adoption and enable them to be on leave at the same time or stop and start their leave.

Please see the **Shared Parental Leave Guidance** for full details.

IVF Treatment

While there is no legal right for time off work for IVF treatment or related sickness, the Council supports employees undergoing IVF by granting 5 days paid leave per treatment cycle in a 12 month period, up to a maximum of 3 cycles.

It is acknowledged that fertility challenges, investigations or appointments can be difficult and therefore an employee who is the partner/support person will be granted 2 days paid leave per treatment cycle in a 12 month period, up to a maximum of 3 cycles.

Please see the **Time off for IVF Treatment Guidance** for full details.

Parental Leave

This is a statutory entitlement for parents where they can take **unpaid** leave to look after their child's welfare e.g. this could include for spending time with the child, looking at new

schools, settling a child into a new school or for spending time with family members i.e. grandparents.

An employee is entitled to take up to 18 weeks' leave for each child and adopted child, up to their 18th birthday.

Time off must be taken as a whole week (not individual days unless the child has a disability), with a maximum of 4 weeks per child per year (unless agreed with the Council). A week is the equivalent to the employee's usual working week and pro-rated for part-time employees.

Parental leave applies to each child not to an individual's job. For instance, where an individual joins the Council and they have used 10 weeks parental leave with a previous employer, they can use up to 8 weeks (the remaining balance of the 18-week entitlement) with the Council, if they are eligible.

To be eligible for Parental Leave the following criteria must be met:

- The person must be an employee (not a "worker")
- The child must be under 18 years old.
- The employee must be named on the child's birth/adoption certificate (proof may be requested prior to first period of leave)
- Have, or expect to have, parental responsibility.

Note: Both foster carers and kinship carers qualify for Parental Leave, provided they meet the first two bullet points above.

The employee must give at least **21 days'** notice of their intention to take Parental Leave and provide the intended start and end dates.

The Council can delay the start of the period of Parental Leave, however, it cannot be delayed by the Council -

- If there is no 'significant reason' (e.g. where granting the leave would cause significant disruption to the Service)
- When it is requested by the child's father or partner or support person (meaning a person who lives with the mother/birth parent in an enduring family relationship but who is not their parent, grandparent, sibling uncle or aunt) immediately after the birth/adoption of the child.
- Where it impacts the employee's eligibility for Parental Leave i.e. after the child's 18th birthday

If the Parental Leave is postponed by the Council, the manager must write to the employee within **7 days** from the date that the original request is received, explaining the reasons for the change and suggesting a more suitable start date – which must be within 6 months of

the original requested start date and in agreement with the employee. The Council cannot change the amount of leave that has been requested by the employee.

Carer's Leave

A working carer is someone who is managing both paid work and unpaid caring responsibilities. These employees are responsible for the care and support of a relative or friend who is older, disabled, seriously ill (physically or mentally) and unable to care for themselves. This does not include individuals who are employed as a paid professional carer or whose caring role relates solely to a child or children who do not have a long-term illness or disability.

Employees who are caring for a dependant with a long-term care need are legally entitled to one week of unpaid flexible statutory carer's leave per year.

Where an employee is registered as a carer and able to evidence this, they are able to access one week paid leave per year. This is instead of statutory unpaid carer's leave.

Please see the **Supporting Carers in the Workplace Guidance** for full details.

Kinship Carer's Leave

Kinship carers are family or friends who step in, often during an unexpected crisis, to care for a child when their birth parents are unable to. This may be because the parent has died, is unwell, has gone to prison, is experiencing problems with drugs and alcohol, or are neglectful or abusive. Kinship carers are usually grandparents, aunts or uncles, brothers or sisters, a step parent, step sibling, or someone who isn't related but know the child(ren) well.

Up to 2 weeks paid Kinship Carer's Leave is available for an employee who is entering into a new (informal or formal) kinship carer arrangement, and they have the child/ren living with them or are preparing for them to live with them.

For employee's entering into a formal kinship arrangement leave is also provided for appointments during the assessment approval process.

Please see the **Supporting Carers in the Workplace Guidance** for full details.

Foster Carer's Leave

A Foster carer takes care of a 'looked after' child when they cannot stay in their own home or with a kinship carer. A child is 'looked after' when the local council has a legal responsibility for their wellbeing. The process includes a rigorous assessment and training, and while there is no upper age limit, they will need patience and resilience.

Up to 4 days paid Foster Training leave is provided for employees who have completed step 2 of the fostering process and require to complete the necessary training days.

In addition leave is also provided for appointments during the assessment approval process.

Please see the **Supporting Carers in the Workplace Guidance** for full details.

Time off for dependants/family emergencies

There is a statutory right to unpaid reasonable time off to deal with **unforeseen** and **emergency** matters regarding a dependant. A dependant can be either a spouse, partner, child, parent or someone who depends on the employee for care.

The Council will grant one day paid leave per unforeseen and emergency matter regarding a dependant, up to a maximum of 3 days per year.

This time off can be granted in the following circumstances:

- To deal with a breakdown in a dependant's care arrangements.
- To put in place longer term care for a child or elderly relative.
- When a dependant falls ill or is taken to hospital.
- To make funeral arrangements. (See section on Compassionate Circumstances).

This provision does not include taking a dependant to hospital for planned appointments (see [**Supporting Carers in the Workplace Guidance**](#) and Carer's Leave above for provision that may be applicable in this regard) and applies only in emergency situations that are unforeseen.

Paid time off, as above, will be given to deal with the immediate emergency only. Where longer periods are required, this is no longer considered an emergency situation, therefore other leave provisions should be explored, such as, annual leave or parental leave.

Parental Bereavement

Parents are entitled to statutory leave of 2 weeks if they suffer the loss of a child under the age of 18 or suffer a still birth from 24 weeks of pregnancy. The leave can be taken as a single block of 2 weeks or discontinuously as 2 separate blocks of 1 week – and is in addition to maternity leave entitlement, where this also applies.

The Council offers employees contractual pay for the two weeks of Parental Bereavement Leave, which can be taken up to 56 weeks from the loss.

The Council extends this entitlement for parental bereavement leave to also cover pregnancy loss which occurs before 24 weeks, including:

- Miscarriage: the loss of a pregnancy before 24 weeks

- Abortion: a medical or surgical procedure to end a pregnancy.
- Ectopic pregnancy: when a fertilised egg implants and grows outside of the uterus.
- Molar pregnancy: a rare form of pregnancy in which a non-viable fertilised egg implants in the uterus and will fail to reach full term.
- IVF embryo transfer loss: the unsuccessful outcome of transferring a fertilised embryo into the uterus during IVF treatment.

Please see the [**Parental Bereavement Leave guidance**](#) for full details.

Flexible Working

As of April 6, 2024, all employees have the right to request flexible working from day one of employment, including changes to hours, times, or location, and can make two requests in any 12-month period.

The Council is positive about utilising a wide range of flexible working options and will deal with employee requests in a reasonable manner with efforts made to accommodate requests where determined as practicable.

Requests can be refused where there is a good business reason for doing so, with there being a specified list of refusal reasons detailed in the Flexible Working Guidance on People Anytime, as well as available from line managers.

Please see the **Flexible Working Policy** and Guidance for full details.

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Special Leave Policy

**Approved by Committee on 20 March 2020 and implemented on
that date, with updates approved and implemented on X**



Document Control

Approval Date	
Implementation Date	
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Policy Author(s) and Owner	Sharon Robb – Policy author Isla Newcombe – Policy owner
Approval Authority	Staff Governance Committee
Scheduled Review	Every 2 years
Changes	
Sept 2023	In line with the Carers Leave Act, this policy has been updated to reflect relevant entitlements for carers leave.
June 2024	Updated in line with the Paternity Leave (amendment) Regulations 2024. Provisions for time off for IVF treatment updated in line with ACAS guidance. Language reviewed to ensure inclusive. Structure updated in line with current ACC Policy Template
Feb 2026	Removal of references to Family and Dependents Leave, now fully incorporated in the Family Leave Policy, to remove duplication. Update to reservists leave payment and paid leave for Cadet Force Adult Volunteers in accordance with the Council's gold accreditation of the Defence Employer Recognition Scheme.

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Appendix 1 – Special Leave policy provisions

1. Why does the Council need this Policy?

- 1.1 This policy provides details of the Council's special leave provisions which may be available to employees to assist with their other responsibilities and personal circumstances in some situations, details of which can be found in Appendix 1.
- 1.2 Special leave covers various scenarios where an employee requires time off from work, other than for planned annual leave or due to sickness absence.
- 1.3 The Council recognises that employees have responsibilities and personal circumstances, outwith work, which may occasionally impact upon their normal working lives. It is supportive of the key benefits that maintaining employee work/life balance brings for employees and, therefore, the whole organisation.
- 1.4 Special leave will also be applicable to other situations such as voluntary public duties, attendance at court as a witness or juror or undertaking election duties and training.

2. Application and Scope Statement

- 2.1 This policy applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering special leave.
- 2.2 Its main aim is to provide supportive provisions to employees to help balance the demands of personal and work responsibilities through offering paid and unpaid leave, according to the circumstances.
- 2.3 The provisions of this policy will only apply with the prior agreement of management, whether statutory or not.
- 2.4 Special leave may be granted as paid or unpaid leave, depending on the circumstances.
- 2.5 Line Managers can submit requests on behalf of employees should the employee not have access to the Council's HR/Payroll system.
- 2.6 Requests for leave can be made and the decision given verbally, however, requests and decisions on special leave require to all be recorded through the Council's HR/Payroll system.
- 2.7 For any period of unpaid leave, a deduction will be made to pay which will be based on the total number of hours lost for that period. If a period of absence is over several weeks/months, the deduction may be spread over more than one pay period.
- 2.8 For periods of unpaid leave which exceed 90 days, annual leave entitlement will be recalculated based on the number of days lost. This will not be less than the statutory minimum annual leave entitlement.

2.9 Where an employee is dissatisfied with a decision under the provisions of this policy, they have the right to raise a grievance under the [Managing Grievances policy/procedure](#).

2.10 During meetings arising under the provisions of this policy, special allowance will be made for those employees whose first language is not English or who have difficulty expressing themselves. The same applies to employees with a disability.

2.11 Whilst on unpaid authorised leave, neither an employee nor the Council will pay pension contributions. As such, an employee will not build up pension during this period. Upon returning from unpaid leave, if they wish to buy the pension “lost” while on unpaid leave they may do so by contacting the [Pensions](#) team and using an Additional Pension Contribution (APC) contract..

2.12 Employees who have term time or part year contracts have set annual leave and cannot normally take leave on their contracted working days. If time off is required, the manager and employee will agree if this is to be unpaid leave or the time being made up later.

3. Responsibilities

3.1 The **Council** will adhere to all its statutory responsibilities in relation to the provisions of this policy.

3.2 Chief **Officers** are responsible for the application of the policy and associated guidance within their service delivery remit.

3.3 Line **Managers** have responsibility for applying this policy, its provisions and managing requests for leave from their employees. Line Managers should also:

- Make every effort to ensure fairness and consistency in decision-making in relation to the provisions of this policy.
- Maintain confidentiality.
- Commit to consider options to allow individuals time off to deal with situations detailed in this policy and also to maintain work.
- Effectively manage any operational impact as a result of employees taking special leave.
- Create an environment where employees are aware of this policy and can make requests for special leave.

3.4 **Employees** have a responsibility to:

- Familiarise themselves with the contents of this policy.
- Co-operate with management in providing information in relation to any requests for special leave.
- Commit to consider options to allow them time off to deal with situations detailed in this policy and also to maintain work.

- 3.5 A breach or misuse of this policy may result in the potential use of a corporate policy e.g., [Managing Discipline](#).
- 3.6 Any feedback on the policy or suggestions for improvement should be shared with the policy author or owner in the first instance.

4. Supporting Procedures & Documentation

- 4.1 The following guidance documents are in place to support provisions in this policy:
 - Disability Leave,
 - Situations of Adverse Weather
 - Employing Reservists

- 4.2 This policy also links to:

- Supporting Attendance and Wellbeing policy
- Family Leave policy
- Equality, Diversity & Inclusion policy
- Managing Grievances policy and guidance
- Managing Discipline policy and guidance
- Gender-Based Violence policy
- Framework Agreement for Industrial Relations (FAIR)
- Career Break policy
- Authorised Unpaid Leave process
- Employee Development policy
- Our Guiding Principles

5. About this Policy

- 5.1 The policy is not creating any specific regulations or requirements other than what is stated in the Council's special leave provisions under Appendix 1.

6. Risk

- 6.1 A function of ACC policies is to reduce risks around compliance, operational, financial and reputational. Compliance risk is the risk that may prevent the Council adhering with laws and regulations. Operational risk is concerned with the risk of disruption to Council services and service users. Financial risk is where unexpected costs could be incurred that have not been budgeted for. Reputational risk concerns the threat of adverse media coverage for the organisation which could affect its standing in the community.
- 6.2 This special leave policy helps ensure that the Council follows best practice and is legally compliant; with many of the leave provisions being statutory related. Operational risks will be reduced as, if employees who have a need for leave in relation to their personal circumstances are supported in the workplace through this policy, this should assist with employee well-being, performance and attendance levels at work; as well as meeting service requirements. Financial risks should be mitigated by this policy as its contribution to employee wellbeing supports employees with leave to deal with arising circumstances which may potentially help alleviate stress and reduce the risk of related claims against the Council. The policy will also contribute towards reducing

reputational risks, as providing a range of special leave provisions should assist with enhancing the Council as an employer of choice and an organisation that applies good employment practices.

- 6.3 There have been no unintended effects, consequences and risks identified resulting from the introduction of the policy.
- 6.4 The risks identified will be managed and mitigated through application of the policy across the Council. This will be undertaken by ensuring the policy is readily available to managers and employees and that support is provided from People and Citizen Services in the interpretation of the policy, wherever required.
- 6.5 The policy will also support the organisation's 'PREVENT' obligations as part of the 'CONTEST' framework by helping to ensure that employees requiring time off in relation to their personal circumstances are supported in the workplace, which should help to maintain their health and wellbeing and reduce their vulnerability. This should in turn make employees less susceptible to radicalization and being drawn into terrorist organisations.

7. Environmental Implications

- 7.1 There are no environmental implications arising from this policy.

8. Policy Performance

- 8.1 The main factors determining the effectiveness of the policy, and whether it adds the value intended, is the usage of the policy by employees requiring time off related to personal circumstances and the consistency in its application by managers.
- 8.2 The effectiveness of the policy will be measured through gathering data on the requests and authorisations for special leave, through monitoring corporate absence levels, including stress related absence, and through collecting feedback from users of the policy.
- 8.3 The Chief Officer – People and Citizen Services will decide where and when data is reported on the effectiveness of the policy, in conjunction with 10.1, ensuring that confidentiality is maintained.

9. Design and Delivery

- 9.1 The policy links to the Council's 'Workforce Design' principle in that it relates to organisational culture and promotion of equality in the workplace. Special leave provisions contribute to a supportive culture in the Council and many of the provisions are related to family leave involving caring for children or vulnerable adults, relevant to our Equality, Diversity and Inclusion responsibilities. It also accords with the Council's Guiding Principles, particularly in relation to the commitment to valuing and supporting staff.
- 9.2 The policy also links to the 'Prosperous Place' theme in the Local Outcome Improvement Plan (LOIP) which indicates that all people in the City are entitled to feel safe and protected from harm and supported where necessary. All citizens are equally

entitled to enjoy these aspirations, including employees of the Council. Having a wide range of special leave provisions in place for staff will help to contribute to this objective, giving supportive provisions to cover a variety of circumstances.

10. Housekeeping and Maintenance

10.1 The Policy will be reviewed every 2 years, and any necessary updates made to it and the accompanying guidance documents.

11. Communication and Distribution

11.1 The policy will be communicated through the Council's Intranet and Leadership Forum, including networks for frontline staff, to ensure all relevant parties are aware of its content.

12. Information Management

12.1 Information generated by the application of this policy will be managed in accordance with the Council's Corporate Information Policy and Supporting Procedures.

13. Definitions and Understanding this Policy

13.1 Special leave is leave provided to an employee to cover various scenarios where an employee requires time off from work other than for planned annual leave or due to sickness absence.

13.2 Worker – A worker e.g. a relief/casual worker is not an employee of the Council on set contracted hours, but can be asked to cover hours as required for planned or unplanned absence. Workers are classed as having 'no mutuality of obligation' status which means that they can be offered work but are not required to accept that work. As an employer, there is no obligation to offer work to any workers

13.2 Details and definitions of specific special leave provisions are provided in Appendix 1

Appendix 1

Special Leave policy provisions

SECTION 1: FAMILY AND DEPENDANTS LEAVE

Family and dependants leave are covered under the Family Leave Policy and accompanying guidance documents.

This includes:

- Maternity Leave
- Paternity Leave
- Adoption Leave
- Neonatal Leave
- Shared Parental Leave
- IVF Treatment
- Parental Leave
- Carers Leave
- Time off for dependants/family emergencies
- Parental Bereavement Leave

Please see the Family Leave policy for more details.

Employee Aide

This is a provision within the Supporting Attendance and Wellbeing policy which provides time off to deal with domestic emergencies (which is different to dealing with family emergencies). This covers time off at short notice, where it is not possible to apply in advance for flexi leave, or annual leave etc. This would include, for example, dealing with a burst pipe or flooding within the home. Please see relevant section within the [Supporting Attendance and Wellbeing policy](#) for further information.

SECTION 2: COMPASSIONATE CIRCUMSTANCES

Bereavement Leave

An employee will be granted bereavement leave on the death of a family member, relative, close friend/colleague. This includes time off for bereavement, making funeral arrangements and for attending the funeral.

The maximum amount of paid leave that can apply is as follows (pro-rated for part-time employees).

Immediate family member (e.g. spouse, partner, child (18 or over), parent,	Up to 5 days
--	--------------

resident relative living in employee's household	
Close family (e.g. brother, sister, son/daughter-in-law, parent-in-law) if not covered by the above	Up to 2 days
Other family members (e.g. grandparents, aunt, uncle, grandchild)	1 day
Others that are not specified above (e.g. neighbour, close friend)	½ day to attend funeral

The line manager may take into consideration special factors such as exceptional relationship to the bereaved, travelling time to attend the funeral etc.

As family and personal circumstances vary, the above is not intended to be fully prescriptive and circumstances will be assessed individually. For example, it may be an aunt or another family member who has taken on the role of a parent and as such longer than one day leave is appropriate.

Details on Parental Bereavement leave can be found in the Parental Bereavement Leave Guidance

Compassionate Leave

Paid time off may be granted where an employee is faced with a serious/critical family situation, for example where a close relative, partner or dependant has a serious illness, becomes critically ill or injured or is missing.

Service Managers may grant compassionate leave with pay following assessment of an employee's individual circumstances; this will not normally exceed 10 days (pro-rated for part-time employees). If time off is required, and deemed appropriate, the Service Manager and employee should discuss and agree other provisions that may be more suitable such as unpaid leave, temporary reduction in hours, use of TOIL /Flexi leave where appropriate etc.

This provision is not intended to include time off to look after children in the event of sickness due to difficulties in making childcare arrangements. These are covered by other provisions such as Time off for Dependents/family emergencies.

SECTION 3: APPOINTMENTS AND INTERVIEWS

Leave to attend Medical and Dental Appointments

Where possible, employees should arrange medical and dental appointments either on non-working days or outwith core hours to minimise disruption to the working day. Where this is not possible, either due to an emergency situation or lack of available appointments, reasonable paid time off will be given in order to attend the appointment. However, if

appointments become frequent, employees may be asked to make up the hours or to take annual/flexi leave, or they may choose to make use of a flexible working option.

Appointments include (but are not limited to) medical, dental, hospital, physiotherapy, occupational therapy and speech/language therapy. Paid time off will not be provided where an appointment is to carry out a medical for the purpose of assessing an insurance claim, nor for elective cosmetic procedures.

In certain circumstances where the employee has a disability (which is covered under the Equality Act 2010) and is required to attend frequent outpatient appointments in relation to their disability, these appointments may be covered by the provisions within the [**Disability Leave Guidance**](#). Please refer to section 4.

Leave to attend Interviews

Employees who request time off to attend an employment interview within Aberdeen City Council will be granted paid leave of absence. Travelling time to and from the interview location will be taken into consideration when granting time off.

Employees, who request time off to attend an employment interview which is outwith Aberdeen City Council, will not be entitled to paid leave of absence. The employee is expected to use other leave to cover this period of absence e.g. annual leave or flexi-leave.

SECTION 4: DISABILITY LEAVE

Disability Leave can be a form of reasonable adjustment in line with the requirements of the Equality Act 2010. It is a provision offering reasonable paid special leave to disabled employees requiring time off for planned absences directly related to their disability, that prevent the employee from undertaking their usual working arrangements. The types of situations where Disability Leave could apply include: where disability related equipment is being installed, dialysis treatment, planned therapy (including physiotherapy, occupational or speech and language therapy), hearing aid tests, receiving hospital treatment related to the disability as an outpatient. Full details, including eligibility and the application process, can be found in the separate [**Disability Leave Guidance**](#).

SECTION 5: AUTHORISED UNPAID LEAVE OF ABSENCE

Career Break

This is a provision to allow an extended period of unpaid leave. To be entitled to a career break, the employee must meet the qualifying criteria within the Career Break policy and the career break must be approved in advance by the Service based on the requirements of the Service at the time. Please see the separate [**Career Break Policy**](#) for further details.

Authorised Unpaid Leave

An employee may make a request through their Service Manager for unpaid leave of absence providing this period does not exceed **one** consecutive calendar month. If a longer period of unpaid leave is requested, a request must be submitted in writing and approved by the relevant Chief Officer. Where an unpaid leave period is extended beyond one consecutive calendar month, consideration should be given to any potential impact on pension, annual leave abatement and continuous service as well as impact on service provision within that team. Employees should discuss with their line manager whether any other leave provision would be more suitable to allow the extended period of leave. Please see the separate [**Authorised Unpaid Leave Process**](#) for further details.

SECTION 6: ADVERSE WEATHER

The Council's [**Guidance for Situations of Adverse Weather**](#) has details on special leave entitlements and how to manage non-working time in instances of adverse weather.

SECTION 7: DEVELOPMENTAL LEAVE

Study Leave

This provision allows an employee who is undertaking an approved course of study to take paid time off for study leave and to attend exams. The time off includes a half day per assignment and a maximum of one day per exam, with the total leave being a maximum of 5 days per academic year. Please see the [**Employee Development Policy**](#) for further details.

Weekend Courses

This provision allows an employee who undertakes approved work-related training on a day, or during hours, that falls outwith their normal working week, to take time off in lieu (TOIL). If the course requires the employee to travel during time that is not part of their normal working week, time off in lieu will be granted.

This provision applies equally to part-time employees who undertake work-related training outwith their normal working hours.

Please see the [**Employee Development Policy**](#) for further details.

SECTION 8: SPORTING/ARTISTIC EVENTS

Leave for Employees to represent their country at National Sporting, Artistic or Related Event

This provision allows paid time off for employees to represent their country at a national sporting, artistic or related event. The employee should provide information in relation to the reason for the leave, including dates and times to be requested, at least one month in

advance. The Service Manager may approve the leave request and grant paid time off, depending on operational requirements at the time of request.

Volunteering at a Multiple Sporting Event

This provision is for employees who wish to work in a volunteer role at an event involving multiple sporting disciplines e.g. at an Olympic or Commonwealth Games. This can be granted provided that it is subsequently approved by the Cluster Chief Officer in consultation with the Chief Officer – People and Citizen Services. The maximum entitlement is 10 days' leave, which includes any volunteer training. Of the total leave requested half can be paid special leave, with the remaining half being matched by the employee through other leave provisions.

E.g. If an employee requests 2 days in total, 1 day will be classed as paid special leave and the employee is expected to take 1 day as either unpaid leave, annual leave or flexi leave. Where 5 days in total are requested 2.5 days will be paid special leave and the employee is expected to take 2.5 days as above etc.

SECTION 9: PUBLIC/STATUTORY DUTIES

Leave when called as a Witness in Court/or to attend for Jury Service

Where an employee has been summoned to attend court either as a witness or to serve on a jury, they must inform their line manager as soon as possible and provide the relevant documentation which must be submitted to the HR Service Centre. Special leave will be granted to allow the employee to attend this duty which can be requested and approved through the HR/Payroll system.

When attending for jury service the employee is responsible for claiming any loss of earnings by sending the documentation provided by the court prior to attendance, to the Payroll Team through the HR Service Centre. Payroll will return the completed documentation to the employee for submission at the Court.

When attending as a witness in court, the employee will be granted paid time off. They can also retain any additional out of pocket witness expenses paid for by the court.

In all of these instances, the employee is required to maintain regular contact with their manager as to the status in terms of the leave required as the case progresses.

Leave for Trade Union Duties

Time off for Trade Union duties is provided for in the [Framework Agreement for Industrial Relations \(FAIR\)](#).

Reservists

This provision covers those who are, or considering becoming a reservist within the Army Reserves, the Royal Navy Reserves, Royal Marines Reserves or Royal Air Force Reserves. Reservists must inform their manager when they have been accepted on the Reservist list and the manager must pass the Notification Paperwork provided by the Reserve Force to the HR Service Centre.

Paid special leave up to a maximum of 15 days will be granted to volunteer reservists to attend their annual training event/camp (this covers the period in attendance at the event but does not include travel time).

Reservist employees who require time off for other Reservist activities are expected to use days from their normal annual leave entitlement (or to take unpaid or flexi leave or to agree with their Manager to make the lost time up at a later point).

Please see separate [**Employing Reservists Guidance**](#) for full details on employing reservists and for mobilisation of reservists.

Cadet Force Adult Volunteers (CFAV)

This provision covers those who are Cadet Force Adult Volunteers (CFAV).

Paid special leave up to a maximum of 10 days will be granted to CFAV to attend relevant annual training and camps.

CFAV who require further time off are expected to use days from their normal annual leave entitlement (or to take unpaid or flexi leave or to agree with their Manager to make the lost time up at a later point).

Leave for Undertaking Election Duties and Training

Paid special leave can be granted for employees to undertake work in relation to election duties. If granted, time off will be given for employment at polling stations, at counts etc. and for associated elections training. (Employees will at – the same time- receive the separate payment agreed with the Election Unit in respect of their election work). Time off will be granted by the employee's Service Manager in accordance with operational requirements.

Leave for Carrying out Public Duties

This applies to employees who hold certain public positions such as Justice of the Peace, being a member of a Children's Panel or being an elected member for another local authority, excluding Aberdeen City Council. Paid time off will be granted provided that the request satisfies the following conditions for it to be a reasonable request:

- The amount of time off required in general to perform the particular public duty and the amount of time off required on the particular occasion in question is reasonable.

- The amount of time the employee has been granted already for this purpose or any other activities has not been excessive.
- Conforms with section 10 of the Local Government and Housing Act 1989 which states that paid leave of absence to serve as an elected member of some other Local Authority cannot exceed 208 hours within one financial year.
- It will have no significant impact on service delivery.

Leave for Special Police Constables and Volunteer Emergency Responders

Employees who are Special Police Constables or volunteering in what the Council considers to be an emergency service may be entitled to paid special leave to attend training or duties related to the role e.g. emergency call out situations. The maximum paid special leave entitlement is 10 days per year, and this will be granted in line with operational demand at the time of request.

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Adoption Guidance



Document Control

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Author(s)	Lucy Mackay, People & Organisational Development Advisor Luci Camilli, People & Organisational Development Advisor Gaynor McKechnie, People & Organisational Development Advisor
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June 2024 Version 4	<ul style="list-style-type: none"> Language reviewed to ensure inclusive.
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SECTION 1: INTRODUCTION

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on adoption leave, including details on the available provisions, any eligibility criteria, application requirements and support options.

Core to this guidance is that no employee will be adversely treated in the workplace due to taking adoption leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request adoption leave.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take adoption leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

SECTION 2: ADOPTION LEAVE AND PAY

Eligibility

Employees are eligible, from day one of employment, to take up to 52 weeks' adoption leave if they are:

- adopting a child,
- fostering a child permanently and becoming their legal parent ('fostering to adopt')
- having a child through surrogacy arrangements (subject to applying to become the legal parent within 6 months of the child's birth).

Employees do not qualify for Statutory Adoption Leave or Pay if they:

- arrange a private adoption
- become a special guardian or kinship carer
- adopt a stepchild
- adopt a family member

Only one person in a couple can take adoption leave. The other partner could be eligible for paternity leave instead. It is up to the couple to decide and elect who is the:

- **Primary Adopter:** this is the person who takes adoption leave and receives adoption pay (where applicable).
- **Secondary Adopter:** this is the Primary Adopter's partner and who may be entitled to paternity leave and pay.

Adoption Leave

Statutory Adoption Leave is 52 weeks, consisting of:

- Ordinary Adoption Leave - first 26 weeks
- Additional Adoption Leave - last 26 weeks

Adoption leave can start:

- up to 14 days before the date the child starts living with the adoptive parents (UK adoptions)
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child is born or the day after (if a surrogate has been used to have a child)

Employees can refer to the [Adoption Planner](#) on the government website to identify the earliest date their adoption leave can start.

Adoption Pay

If the employee is the Primary Adopter their entitlement to adoption pay depends on their length of continuous service and how much they earn.

To qualify for Statutory Adoption Pay (SAP) and/or Occupational Adoption Pay (OAP) continuous service means, continuous service with Aberdeen City Council or a public authority as listed in the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Orders (which covers local authorities and related bodies).

Pay for Adoptions within the UK

To receive Statutory Adoption Pay, the employee must:

- have been continuously employed for at least 26 weeks by the week they were matched with a child
- earn on average equal to or more than the lower earnings limit for National Insurance contributions
- notify their line manager giving at least 28 days' notice
- give [proof of the adoption or surrogacy](#)

Pay for Adoptions of a child from overseas

The requirements are the same as above if the employee is adopting from overseas, except they must have been continuously employed for at least 26 weeks when they start receiving adoption pay.

The Primary Adopter must also sign [form SC6](#) if they are adopting from overseas with a partner. This confirms that they are not taking paternity leave or pay.

Pay for Adoptions in a surrogacy arrangement

The requirements are the same as Adoptions within the UK if the employee is in a surrogacy arrangement, except they must have been continuously employed for at least 26 weeks by the 15th week before the baby's due date.

The employee must also:

- intend to apply for a [parental order](#)
- expect the order to be granted (for example because they do not have any convictions involving children, and the birth mother or father agree to the arrangement)

Qualification	Entitlement
If the employee has less than 26 weeks' continuous service by the matching week or by the end of the	The employee will not be entitled to SAP or OAP but may be entitled to claim benefits through Jobcentre Plus.

<p>15th week before the expected week of birth for surrogacy:</p>	<p>If the employee has submitted the Application for Adoption Leave form together with a matching certificate within 7 days of being notified by the adoption agency that they have been matched with a child for adoption, they will be issued with an SAP1 form within 7 days of the decision that they are not entitled to SAP. This is so that they can ask about claiming benefits through Jobcentre Plus.</p>
<p>If the employee has 26 weeks' continuous service or more by the matching week or by the end of the 15th week before the expected week of birth for surrogacy and your average weekly earnings are <u>equal to or more than</u> the lower earnings limit for National Insurance contributions:</p>	<p>The employee will be entitled to OAP and SAP for a maximum period of 39 weeks as follows:-</p> <ul style="list-style-type: none"> • OAP for the first 6 weeks will provide 90% of average weekly earnings (which is the same rate as Statutory Adoption Pay). • OAP for the following 12 weeks, which is a sum equal to 50% of normal pay (this is optional and the employee can choose whether or not to receive this money. If they choose to take the 12 weeks at 50% of their normal pay and then do not return to work for a period of 12 completed calendar weeks at the end of the adoption leave, they will be required to pay the money back (paid back on a pro rata basis if they return for less than 12 completed calendar weeks). • If the employee chooses not to take the 12 weeks at 50% of their normal pay, they will get the flat rate of SAP (or 90% of their average weekly earnings if this is less than the flat rate of SAP) for these 12 weeks. However if they do then return to work a period of 12 completed calendar weeks at the end of the adoption leave, they will then be paid for the 12 weeks at 50% of their normal pay (paid on a pro rata basis if they return for less than 12 completed calendar weeks). In addition they will get the flat rate of SAP or 90% of their average weekly earnings, whichever is less. The maximum amount you can receive for these 12 weeks is your normal full pay. • For the following 21 weeks you will get the flat rate of SAP (or 90% of your average weekly earnings if this is less than the flat rate of SAP). • The remaining 13 weeks of adoption leave, if taken, would be without pay.
<p>If the employee has 26 weeks' continuous service or more by the matching week or by the end of the 15th week expected week of birth for surrogacy but</p>	<p>An employee will not be entitled to SAP but may be entitled to claim benefits through Jobcentre Plus.</p> <p>If the employee has submitted the Application for Adoption Leave form together with a matching</p>

their average weekly earnings are less than the lower earnings limit for National Insurance contributions:

certificate within 7 days of being notified by the adoption agency that they have been matched with a child for adoption, they will be issued with an **SAP1** form within 7 days of the decision that you are not entitled to SAP. This is so that they can ask about claiming benefits through Jobcentre Plus.

An employee will be entitled to OAP as follows:-

- For the first 6 weeks they will get 90% of their normal pay (which includes any benefits received from Jobcentre Plus).
- For the following 12 weeks they can get a sum equal to 50% of their normal pay (this is optional and they can choose whether or not to receive this money). If they choose to take the 12 weeks at 50% of their normal pay and then do not return to work for a period of 12 completed calendar weeks at the end of the adoption leave, they will be required to pay the money back (paid back on a pro rata basis if they return for less than 12 completed calendar weeks).
- If the employee chooses not to take the 12 weeks at 50% of their normal pay, they will get the flat rate of SAP (or 90% of their average weekly earnings if this is less than the flat rate of SAP) for these 12 weeks. However if they do then return to work a period of 12 completed calendar weeks at the end of the adoption leave, they will then be paid for the 12 weeks at 50% of their normal pay (paid on a pro rata basis if they return for less than 12 completed calendar weeks). The maximum amount, including any benefits received from Jobcentre Plus, they can receive for these 12 weeks is your normal full pay.
- The remaining 34 weeks of their adoption leave, if taken, would be without pay.

The definition of 'average weekly earnings' for the purpose of Statutory Adoption Pay is the gross average of all payments made to you in the 8 week period up to and including the last pay day before the end of the matching week or expected week of birth for surrogacy. The definition of 'normal pay' for the purpose of Occupational Adoption Pay is basic pay plus any contractual payments.

If the employee is adopting more than one child as part of the same adoption arrangement or expecting more than one child through a surrogacy arrangement, their entitlement to adoption pay and adoption leave is the same as if they were only adopting one child.

SECTION 3: PRIOR TO ADOPTING

It is important that employees and line managers are aware of the requirements prior to adoption and surrogacy, during adoption leave and what to do to prepare for returning to work. The following sections provide information on this.

Employees can also refer to Appendix 3 – Employee Checklist and line managers Appendix 4 – Line Managers Checklist.

Notification of Adoption Leave

Employees are required to notify their line manager in accordance with the notice periods below:

- **Adoption within the UK**

Within 7 days of being matched with a child the employee must notify their line manager:

- how much leave they want to take
- their leave start date
- the 'date of placement' - the date the child is placed with the employee

The line manager can ask for this in writing and for proof of the adoption.

- **Adoption of a child from overseas**

Usually within 28 days of getting the notification the employee must notify their line manager of:

- the date of their 'official notification' and
- when they expect the child to arrive in the UK.

Employees must also confirm:

- the actual date the child arrives in the UK - within 28 days of this date
- how much leave they want and their start date - giving their employer 28 days' notice

- **Surrogacy arrangements**

No later than the 15th week before the baby is due the employee must notify their line manager

- that they intend to take adoption leave
- the expected week of childbirth and
- when they want to start their leave

Employees need to confirm their surrogacy arrangement by way of a written statement ('statutory declaration') to confirm they have applied or intend to apply for a [parental order](#) in the 6 months after the child's birth.

Application for Adoption Leave

In order to receive adoption leave the employee must complete and submit the **Application for Adoption Leave Form** (see **Appendix 1**) to their line manager, together with a completed matching certificate (where applicable).

Once the employee has submitted a copy of the matching certificate (where applicable) along with the **Application for Adoption Leave Form**, their line manager will send these forms to People Services (AskHR@aberdeencity.gov.uk).

People Services will then write to the employee, by law this must be within 28 days of the line manager receiving the completed forms. People Services will confirm the employees adoption leave along with the date of return to work, assuming they decide to take their full adoption leave entitlement.

Changing Adoption Leave Dates

Employees must tell their employer within 28 days if the date of placement (or UK arrival date for overseas adoptions) changes.

Employees must give their employer at least 8 weeks' notice if they want to change their return to work date.

Time off for Adoption Related Appointments & Training

Primary and Secondary Adopters are both entitled to take paid time off during working hours to attend up to 5 pre-adoption meetings, and each meeting may last up to 7 hours. Employees will be required to provide evidence of the meeting to their line manager.

Employees who are adopting are entitled to up to 6 days paid time to attend pre-adoption training.

Employees should give their line manager as much notice of meetings and training as possible and wherever possible such meetings should take place at the start or end of the working day.

If the employee is having a child through a surrogacy arrangement and intends to apply for a parental order to become one of the child's legal parents, the employee has the right to reasonable paid time off to attend ante-natal care, regardless of their length of service or hours of work, and taking account of the complexities of the pregnancy. As much notice as possible should be provided, and preferably the appointment should be arranged for the start or end of the working day. Time for ante-natal care can vary in length for appointments, managers should approve leave off for appointments as appropriate, e.g. in hours rather than half days. Line managers cannot ask for proof of the appointment.

Shared Parental Leave

Employees may wish to consider Shared Parental Leave provisions, whereby they can choose to share a period of leave and pay with their partner. If eligible they would do this by ending/curtailing their adoption leave and/or pay at a future date and share the untaken balance of leave and pay with their partner. They may return to work early from adoption leave and opt into Shared Parental Leave and Pay at a later date.

Further information can be found in the Council's Shared Parental Leave Guidance which is available on People Anytime.

Neonatal Care Leave

Neonatal care leave (NCL) is a leave entitlement available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth.

For further information please refer to the Neonatal Care Leave and Pay Guidance

SECTION 4: DURING ADOPTION LEAVE

Reasonable contact

The purpose of reasonable contact is for employees to stay in touch with their line manager during their adoption leave. The line manager and employee will agree how contact will be made and how often, prior to commencing adoption leave. It is an opportunity for the employee to find out from their line manager about any developments or changes at work, any relevant promotion opportunities or to talk about plans to return to work.

Keeping in touch (KIT) days

Keeping in touch (KIT) days can help employees stay in touch with the organisation during their adoption leave and to make it easier for both the employee and line manager when it comes to returning to work.

Employees are not obliged to do any work or attend any work-related events during their adoption leave however they can work **up to 10 days** should they wish. These days do not have to be limited to the normal job, and instead could be used for training or other work-related events.

Although employees are entitled to a maximum of 10 KIT days during adoption leave they can only use a maximum of 2 days in any one week. Arrangements for KIT days should be discussed and agreed between the employee and line manager ideally at least 7 days in advance, detailing the dates and times they wish to work.

Any work completed as a KIT day, even a one-hour training course for example, will be counted as a whole KIT day. The employee will be paid at the normal contractual rate of pay (inclusive of any adoption pay where applicable) for the days worked and if the employee works less than a full working day as a KIT day they will be paid for the actual hours worked. Once the employee has carried out a KIT day, the line manager must email People Services (AskHR@aberdeencity.gov.uk) confirming the date the employee undertook their KIT day and the number of hours completed. Managers are responsible for keeping a record of how many KIT days an employee has undertaken to ensure they do not work more than the maximum of 10 days.

Placement ends during adoption leave

The employees adoption leave will end 8 weeks after the placement ended if:

- the employee has started their adoption leave and the agency tells them the placement cannot happen
- the child dies during adoption leave
- the child is returned to the adoption agency

Right to live and work in the UK

If the employee is working in the UK on a visa or work permit, they must maintain their right to live and work in the UK during adoption leave. They must also be able to produce this documentation at any time if requested to do so.

PVG

If the post requires the employee to be a member of the Protecting Vulnerable Groups (PVG) scheme and if the employee is outside the UK for more than 3 months during their adoption leave, they will need to provide a foreign police check before returning to work. Guidance on how to obtain a foreign police check can be found on the [Foreign & Commonwealth Office website](#).

Professional Registration

If the post requires the employee to be registered with a professional body such as Scottish Social Services Council (SSSC), Law Society of Scotland etc, they must continue to pay their registration fee and remain registered during adoption leave.

SECTION 5: PREPARING TO RETURN TO WORK

Notification of returning to work

An employee returning to work after 52 weeks of adoption leave is not obliged to notify their line manager of the date on which they will be returning to work, as the date of return will be assumed to be the day following the end of the 52 week period. However as part of the reasonable contact employees have with their line manager during adoption leave, it is a good idea to be discussing when employees will be returning to work and also how they will use any accrued annual leave and public holiday entitlement.

An employee planning to return to work early from adoption leave (i.e. before the end of the 52 week period), must complete the **Notification of Early Return to Work** form (see Appendix 2) at least 8 weeks before the date on which they intend to return. The line manager will advise the employee of any accrued annual leave and public holiday entitlement prior to returning to work and agree when this will be taken.

Redundancy protection

An employee will normally return to the same job that they had before going on adoption leave. However, if this is not possible due to exceptional circumstances (e.g. redundancy or reorganisation) they will be offered a suitable alternative post with comparable duties, terms and conditions, pay and location where such a vacancy exists, and supported under the Councils Redeployment procedure.

Flexible working arrangements

If an employee would like to return to work on a flexible working basis (e.g. part time hours), they should make an application on the standard form, in accordance with the Flexible Working Guidance, to their line manager as far in advance of their planned return date as possible. This will allow the Cluster sufficient time to consider their request and to make the necessary arrangements. The application should include details of the hours/days the employee would wish to work and should suggest how their flexible working arrangement could operate in practice.

Whilst the law gives employees the right to request flexible working from their first day back after adoption leave, the service does not have to agree to the request, but it does have to consider the request seriously.

Please see the Council's [Flexible Working Policy](#) and [Flexible Working Guidance](#) for further information.

Career break

A career break may be taken immediately after a period of maternity, adoption or shared parental leave where the employee meets the qualifying criteria. The

employee will be required to take any annual leave accrued during the maternity, adoption or shared parental leave period immediately prior to commencing the career break. The career break would therefore commence on the date immediately following any such period of annual leave, where requested.

If the employee has received the 12 weeks adoption pay at 50% of their pay and fails to return to work for at least three months at the end of the adoption and shared parental leave or at the end of the career break which follows immediately after, they will be required to pay back the 12 weeks at 50% of normal pay. For further information please see the Council's [Career Break Policy](#).

Annual leave and public holidays accrued during leave

Annual leave and public holidays continue to accrue when on adoption leave. Annual leave and public holiday entitlement will be calculated and the employee will be able to take the accrued annual leave at the end of their adoption leave.

The line manager and employee should discuss when leave can be taken in line with operational requirements of the Service.

Accrued leave entitlement will usually be taken at the end of the adoption leave period, before returning to work. If the accrued leave cannot all be taken before the end of the leave year, it can be carried over into the following leave year.

Employees may wish to take their accrued leave in a variety of ways e.g.:

- finish adoption leave and immediately take accrued leave, thus extending time off work but receiving pay
- use accrued leave to phase the return by working reduced hours and taking leave for the remaining hours therefore receiving full pay
- finish adoption leave, return to work, then take regular holidays. Whatever the preference it must be discussed and agreed with the line manager

Deciding not to return to work after adoption leave

If the employee decides not to return to work after adoption leave, and so wishes to resign, they should submit their resignation in writing to their line manager. The contract end date will be in accordance with the notice period stated in the contract of employment. Payment for any annual leave and public holiday days accrued during the maternity leave period, along with any other outstanding money due, will be included in the final salary payment. The line manager will contact the employee to arrange for the return of any Council property e.g. ID badge, fob, keys, computer equipment etc.

Resigning whilst on adoption leave will only affect the amount of adoption pay if the employee were eligible to receive Occupational Adoption Pay and they chose to receive payment of the 12 weeks at 50% of normal pay. If the employee does not return to work at the end of the adoption leave because they have chosen to resign, they will be required to pay back the 12 weeks at 50% of normal pay. People Services will contact you to arrange for this money to be repaid.

SECTION 6: FURTHER INFORMATION AND SUPPORT

Support and advice

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.
- [Tax-Free Childcare](#) - Employees who wish to find out more about joining a Childcare Scheme can look into the Government's Tax-Free Childcare (TFCC).

External Support

- [Adoption UK in Scotland](#)
- [Scottish Adoption](#)
- [MyGov.Scot Adoption](#)
- [Adoption in Scotland](#)
- [MyGov.Scot Surrogacy](#)
- [British Infertility Counselling Association \(BICA\)](#)

Related policy and guidance

- Family Leave Policy
- Shared Parental Leave Guidance
- Paternity Leave Guidance
- Neonatal Care Guidance
- [Flexible Working Policy](#)
- [Flexible Working Guidance](#)
- Parental Bereavement Leave Guidance
- The Family Leave Planning Toolkit
- Career Break Policy
- Special Leave Policy

Further Advice

For advice and guidance on the application of this guidance please contact People Services.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

Section 7: APPENDICES

Appendix 1: Application for Adoption Leave Form

You are entitled to adoption leave if you are the Primary Adopter and are:

- adopting a child,
- fostering a child permanently and becoming their legal parent ('fostering to adopt) or
- having a child through surrogacy arrangements (subject to applying to become the legal parent within 6 months of the child's birth).

Complete and submit this form to your Line Manager, together with a matching certificate where this is required, in line with the notification timescales in the Adoption guidance.

NOTE: If you do not complete and submit this form along with the required evidence within the required timescale, you may not be entitled to adoption leave.

PERSONAL DETAILS

NAME (in full):	
PAYROLL NUMBER:	
HOME ADDRESS:	
JOB TITLE:	
LINE MANAGER:	
EMPLOYMENT STATUS:	PERMANENT / FIXED TERM / CASUAL (please select as appropriate)
HOURS PER WEEK:	
DECLARATION (tick the option that applies)	
<input type="checkbox"/> I have been informed by an adoption agency that I have been matched with a child for adoption and wish to apply for adoption leave – I attach the original copy of the matching certificate.	
<input type="checkbox"/> I am having a child through surrogacy arrangements and have applied for or intend to apply for a parental order in the 6 months after the child's birth.	

START OF ADOPTION LEAVE PERIOD	The child's date of placement is (date): The expected week of birth for surrogacy (date):
Note: Your adoption leave can start no later than the date of the child's placement (or the day after that if you are	

<p>at work on that day) or from a fixed date up to 14 days before the expected date of placement or for surrogacy start from the birth or day after the birth.</p>	<p>I intend to start my adoption leave period on (date):</p>
--	--

ARRANGEMENT FOR PAYMENT OF 12 WEEKS AT 50% OCCUPATIONAL ADOPTION PAY (please tick the appropriate box)

This only applies to employees who have 26 weeks' continuous service (see guidance for definition and further details) or more by the week in which they are notified of being matched with a child for adoption/the expected week of birth for surrogacy (whichever applies).

Please **pay me** 12 weeks at 50% Occupational Adoption Pay. If I don't return to work for a period of 3 completed months at the end of my adoption leave, I understand that I will be required to pay back this money (repaid on a pro rata basis if I return for less than 3 completed months).

Please **do not pay me** 12 weeks at 50% Occupational Adoption Pay. If I return to work for a period of 3 completed months at the end of my adoption leave, I understand that I will be paid this money (paid on a pro rata basis if I return for less than 3 completed months).

SIGNATURE

I would like to apply for adoption leave in accordance with the information that I have provided.

Signed: Date:

Once completed and signed by the employee, this form should be emailed to People Services (AskHR@aberdeencity.gov.uk) by the line manager.

Appendix 2: Notification of Early Return to Work Form

You only need to complete this form if you are returning to work early from your adoption leave (i.e. before the end of the 52-week period). If this applies to you, this form should be completed and given to your Line Manager at least 8 weeks before the date on which you intend to return.

If you do not complete and submit this form within the required timescale, you may not be entitled to return to work early.

PERSONAL DETAILS

NAME (in full):	
PAYROLL NUMBER:	
HOME ADDRESS:	
JOB TITLE:	
LINE MANAGER:	
DATE ADOPTION LEAVE STARTED:	
NOTIFICATION OF THE DATE ON WHICH YOU WISH TO RETURN TO WORK EARLY	I intend to return to work early on (date):

SIGNATURE

Signed:.....Date:.....

Once completed and signed by the employee, this form should be emailed to People Services (AskHR@aberdeencity.gov.uk) by the line manager

Appendix 3: Employee Checklist

Following the steps on this checklist will ensure the necessary actions are taken at the right time to receive adoption entitlements.

ACTION	TIMESCALE	COMPLETED
Prior to Adoption Leave		
Submit Application for Adoption Leave form to line manager	<p>Adoption within the UK - Within 7 days of being notified by the adoption agency that you have been matched with a child for adoption, or as soon as possible.</p> <p>Adoption from overseas - providing your line manager with 28 days' notice.</p> <p>Surrogacy - at least 15 weeks before the expected week of birth.</p>	
Consider whether to remain in salary sacrifice schemes , if applicable. Contact accmybenefits@aberdeencity.gov.uk for more information	As early as possible	
Review Government Adoption leave calculator for eligibility	As early as possible	
Notify line manager of pre-adoption or antenatal appointments	Provide as much notice as possible	
Explore Shared Parental Leave and Pay as an option with partner. More information can be found in the Shared Parental Leave and Pay Guidance or Gov.UK	Required to follow notification and curtailment of adoption leave and/or pay processes, providing notice at least 8 weeks before the first day of intended period of leave	
Discuss contact with line manager during adoption leave including preferred type of contact, frequency etc	Discuss prior to going on adoption leave	
During Adoption Leave		

If baby/babies have been in Neonatal within the first 28 days after adoption placement, notify line manager as per the Neonatal Care Guidance.	Notification to line manager should baby / babies be in neonatal for at least 7 consecutive days within the first 28 days of adoption placement.	
If applicable, submit Notification of Early Return to Work form to line manager (only required if wish to return to work <u>early</u> i.e. before the end of 52-week adoption leave period)	At least 8 weeks before early return date	
Consider Childcare Scheme Options - The Childcare Voucher Scheme is no longer available due to changes by the Government in 2018. More information is available at <u>Tax-Free Childcare</u> (TFCC)	As soon as possible	
Decide if want to do any Keeping in touch (KIT) days	Discuss and agree with line manager at least 7 days in advance, detailing the dates and times wish to work	
Identify if considering a <u>Career Break</u>	Discussion to take place as early as possible with line manager.	
Ensure continue to have the Right to Live and Work in the UK which is continuously required as an employee of the Council.	If due to expire whilst on adoption leave discuss with line manager prior to expiry date and notify the People Services (AskHR@aberdeencity.gov.uk)	
For posts requiring PVG - If out with the UK for more than 3 months during adoption leave, will need to provide a foreign police check before returning to work	Guidance on how to obtain a foreign police check can be found on the <u>Foreign & Commonwealth Office website</u> . Obtain as soon as returned to the UK	
For posts requiring professional registration - continue to pay registration fee and remain registered during adoption leave.	Arrange payment prior to current registration expiring	
Preparing to Return to Work		

Consider if wishing to return on a flexible working basis (e.g. part time hours). Submit an application in accordance with the Flexible Working Policy and Flexible Working Guidance	As far in advance planned return date as possible	
Consider how wish to use accrued annual leave and public holidays, which continues to accrue when on adoption leave.	Discuss with line manager when leave can be taken in line with operational requirements of the Service as soon as possible	
Contact Pensions if wish to pay an Additional Pension Contribution (APC) to purchase any or all amounts of pension 'lost' during any unpaid period of adoption leave	Must be done within 30 days of returning to work for it to be a shared cost APC (Council pays 2/3rds and you pay 1/3 rd)	

Appendix 4: Line Manager Checklist

ACTION	TIMESCALE	COMPLETED
Prior to Adoption Leave		
Notified by employee of Adoption Leave, application and matching certificate (where applicable) received by Line Manager	Send forms to People Services (AskHR@aberdeencity.gov.uk) as soon as possible	
Employee notifies of pre-adoption meetings or antenatal appointments - grant paid special leave paid if the appointment falls during working hours	As appropriate	
Familiarise self with Shared Parental Leave Policy	As appropriate	
Discuss and agree with the employee how contact will be made and how often. Confirm with the employee how they want to know about service updates etc	Prior to commencing adoption leave	
During Adoption Leave		
If employee notifies that their baby / babies have had at least 7 consecutive days in Neonatal Care with the first 28 days of adoption placement, complete the Notification of Neonatal Care Leave Form in accordance with the Neonatal Care Guidance.	Neonatal Care Leave Form to be submitted to People Services as soon as notified by employee.	
Keeping in Touch Days - inform AskHR of any KIT days completed.	Once the employee has carried out a keeping in touch day, email the People Services confirming the date the employee undertook their keeping in touch day and the number of hours completed. Managers are responsible for keeping a record of how many keeping in touch days an employee has undertaken to ensure they do not work more than the maximum of 10 days	

If employee advised Line Manager that they wish to take a Career Break . Line Manager needs to escalate this request to their Chief Officer for consideration and decision.	Line Manager to escalate to Chief Officer as soon as possible. Once decision reached Line Manager to advise employee and notify People Services	
Ensure employee has evidence of their Right to Live and Work in the UK if it is due to expire during their adoption leave	Continuously required during employment with ACC. Discuss with employee prior to expiry date and notify the People Services	
If the post requires the employee to be a member of the Protecting Vulnerable Groups (PVG) scheme and if the employee is out with the UK for more than 3 months during their adoption leave, they will need to provide a foreign police check before returning to work	Manager to ensure a foreign police check is obtained as soon as they return to the UK and prior to returning to work. Foreign & Commonwealth Office website	
If the post requires the employee to hold professional registration e.g. Scottish Social Services Council (SSSC), Law Society for Scotland etc Ensure employee is aware they must continue to pay their registration fees during adoption leave	As appropriate	
Annual Leave Line manager and employee to discuss when annual leave can be taken in line with operational requirements of the Service. Accrued leave entitlement will usually be taken at the end of the adoption leave, before returning to work	As soon as possible	
If employee is returning to work earlier than 52 weeks ensure they have completed Early Return to Work Notification form and action accordingly	Share completed form with People Services at least 8 weeks before early return date	

<p>Line Manager to consider requests from employee if they are wishing to return on a flexible working basis (e.g. part time hours). Application must be received by Line Manager in accordance with the Flexible Working Guidance</p>	<p>As far in advance of their planned return date as possible and shared with People Services</p> <p>Please see the Council's Flexible Working Policy and Flexible Working Guidance for further information</p>	
<p>Check with employee that they have access to their work devices and are up to date.</p> <p>Check that the employees account access has not been closed</p>	<p>Prior to employee returning to work</p>	
Return to Work		
<p>Discuss how to best support the employee in returning to work i.e. Buddy/Mentor</p>	<p>Discussion to take place as soon as employee returns to work. Link to leave guidance</p>	
<p>Arrange time with employee on their first week returning to work to provide an update on any changes implemented during their adoption leave</p>	<p>Within first week of returning to work.</p>	
<p>Ensure employee is aware they will need to check their training records are up to date ie mandatory training</p>	<p>As soon as returning to work.</p>	
<p>Sign post to ABZ works where additional support is available for employees to take care of themselves, physically, emotionally, and mentally</p>	<p>Where applicable</p>	

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Maternity Guidance



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SECTION 1: INTRODUCTION

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on maternity leave, including details on the available provisions, any eligibility criteria, application requirements and support options.

Core to this guidance is that no employee will be adversely treated in the workplace due to taking maternity leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request maternity leave.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take maternity leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

SECTION 2: MATERNITY LEAVE AND PAY

Maternity Leave

Employees are entitled to take up to 52 weeks' maternity leave if they are having a baby. Employees have this right from their first day of starting a job. By law, employees must take at least 2 weeks of compulsory maternity leave after their baby is born.

Statutory Maternity Leave is 52 weeks, consisting of:

- Ordinary Maternity Leave - first 26 weeks
- Additional Maternity Leave - last 26 weeks

Usually, the earliest an employee can start maternity leave is 11 weeks before the expected week of childbirth.

Leave will also start:

- The day after the birth, if the baby is early; or
- If an employee is off work for any reason connected with their pregnancy (e.g. pregnancy related illness) and the absence continues into the fourth week before the baby is due, maternity leave will start automatically from the 2nd day of the 4th week before the baby is due. This applies even if the employee is subsequently fit for work.

Employees can refer to the [Maternity Planner](#) on the government website to identify the earliest date their maternity leave can start.

In order to receive maternity leave an employee must:

- a) Submit a copy of the maternity certificate (**MAT B1** form) available from a registered doctor or midwife stating the expected date of childbirth to their line manager by the end of the 15th week before the expected week of childbirth (or as soon as possible).
- b) Complete and submit an **Application for Maternity Leave** form (see appendix 1) to their line manager by the end of the 15th week before the expected week of childbirth (or as soon as possible).

Once an employee has submitted a copy of the **MAT B1** form along with the **Application for Maternity Leave** form, their line manager will send these forms to People Services (askhr@aberdeencity.gov.uk).

People Services will then write to the employee, by law this must be within 28 days of the line manager receiving the completed forms. People Services will confirm the employees maternity leave along with the date of return to work, assuming they decide to take their full maternity leave entitlement. If the employee later decides to change the start date of their maternity leave, they must let their line manager know in writing at least 28 days before the revised start date of the maternity leave (or as soon as possible).

An employee will get the same amount of maternity leave and pay even if they are expecting more than one baby, for example twins or triplets.

In the event of a stillbirth after 24 weeks of pregnancy an employee is entitled to maternity leave and pay provisions.

Maternity Pay

An employee's entitlement to maternity pay depends on their length of continuous service and how much they earn.

To qualify for Statutory Maternity Pay (SMP) and/or Occupational Maternity Pay (OMP) continuous service means, continuous service with Aberdeen City Council or a public authority as listed in The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (which covers local authorities and related bodies).

Please note that if an employee returns to local government service following a break for maternity reasons, and that break in service does not exceed eight years and does not include any period of paid employment, the employee will be entitled to have their previous service taken into account for maternity pay purposes.

Qualification	Entitlement
If an employee has less than 26 weeks' continuous service by the end of the 15th week before the expected week of childbirth	<p>The employee will not be entitled to SMP or OMP but may be entitled to claim Maternity Allowance through Jobcentre Plus.</p> <p>If the employee has submitted the MAT B1 form and the Application for Maternity Leave form by the end of the 15th week before the expected week of childbirth, they will be issued with an SMP1 form within 7 days of the decision that they are not entitled to SMP. This is so that employees can ask about claiming and applying for Maternity Allowance through Jobcentre Plus.</p>
If an employee has 26 weeks' continuous service or more by the end of the 15th week before the expected week of childbirth and their average weekly earnings are <u>equal to or more than</u> the lower earnings limit for National Insurance contributions:	<p>The employee will be entitled to OMP and SMP for a maximum period of 39 weeks as follows:</p> <ul style="list-style-type: none">For the first 6 weeks the employee will get 90% of their average weekly earnings.For the following 12 weeks they can get a sum equal to 50% of their normal pay (this is optional and the employee can choose whether or not to receive this money. If they do not return to work for a period of 12 completed calendar weeks at the end of the maternity leave, they will be required to pay the money back (paid back on a pro rata basis if they return for less than 12 completed calendar weeks). In addition, they will get the flat rate of SMP or 90% of their average weekly earnings if this is less than the flat rate of SMP. The maximum

	<p>amount an employee can receive for these 12 weeks is their normal full pay.</p> <ul style="list-style-type: none"> • If the employee chooses not to take the 12 weeks at 50% of their normal pay, they will get the flat rate of SMP (or 90% of your average weekly earnings if this is less than the flat rate of SMP) for these 12 weeks. However if they do then return to work a period of 12 completed calendar weeks at the end of their maternity leave, they will then be paid for the 12 weeks at 50% of their normal pay (paid on a pro rata basis if they return for less than 12 completed calendar weeks). • For the following 21 weeks they will get the flat rate of SMP (or 90% of their average weekly earnings if this is less than the flat rate of SMP). • The remaining 13 weeks of maternity leave, if taken, would be without pay.
<p>If employees have 26 weeks' continuous service or more by the end of the 15th week before the expected week of childbirth but their average weekly earnings are <u>less</u> than the lower earnings limit for National Insurance contributions:</p>	<p>Employee's will not be entitled to SMP but may be entitled to claim Maternity Allowance through Jobcentre Plus.</p> <p>Employee's will be entitled to OMP as follows:</p> <ul style="list-style-type: none"> • For the first 6 weeks they will get 90% of their normal pay (which includes any Maternity Allowance). • For the following 12 weeks they can get a sum equal to 50% of their normal pay. This is optional and you can choose whether or not to receive this money. The maximum amount, including any Maternity Allowance, an employee can receive for these 12 weeks is their normal full pay. If they choose to take the 12 weeks at 50% of their normal pay and then do not return to work for a period of 12 completed calendar weeks at the end of their maternity leave, they will be required to pay the money back (paid back on a pro rata basis if they return for less than 12 completed calendar weeks). • The remaining 34 weeks of your maternity leave, if taken, will be without pay.

The definition of 'average weekly earnings' for the purpose of Statutory Maternity Pay is the gross average of all payments made to the employee in the 8 week period up to and including the last pay day before the end of the 15th week before the expected week of childbirth. The definition of 'normal pay' for the purpose of Occupational Maternity Pay is basic pay plus any contractual payments.

Employees can refer to the [Maternity Planner](#) on the government website to calculate their entitlement to SMP.

SECTION 3: DURING PREGNANCY

It is important that employees and line managers are aware of the requirements during pregnancy, maternity leave and what to do to prepare for returning to work. The following sections provide information on this.

Employees can also refer to Appendix 3 – Employee Checklist and line managers Appendix 4 – Line Managers Checklist, to support them throughout these stages.

Notification of Pregnancy

It is the responsibility of the employee to notify their line manager of their pregnancy to ensure that they are supported and the correct provisions / risk assessment are put in place.

Risk assessment

Line managers are required to undertake a risk assessment for all employees who have notified that they are pregnant. The Management of Health and Safety at Work Regulations 1999 require employers to assess any risks to all pregnant or breast-feeding employees and to do what is reasonably practicable to control these risks. Potential risks include the use of hazardous substances, manual handling and dealing with violence and aggression. The employee should notify their line manager as early as possible in their pregnancy, so that the risk assessment can be carried out.

Any necessary adjustments will be made to the employee's working environment or duties to remove any potential risk. If the employee is unable to carry out their normal duties while pregnant, they have the right to be offered suitable alternative work, or if such work is not available, to be granted leave on full pay on health and safety grounds.

Pregnant employees may need to take additional rest breaks. This should be discussed between the line manager and employee during the risk assessment so that any necessary arrangements and facilities can be put in place.

Please visit [Risk Assessment Guidance](#) for more information.

Supporting Attendance

Absence related to pregnancy is defined as 'any absence linked to an employee's pregnancy either before or after the birth of the baby'. The manager should establish and record whether an absence is pregnancy related at each return to work discussion as this will determine how a case is managed where an absence review level is reached.

Where the employee meets one of the review levels in the policy due to absence related to pregnancy they will be required to attend a Level 1 Attendance Review Meeting. The nature of this meeting will be wholly supportive and will focus on identifying measures that can be taken to assist the employee, with concern shown for their health and wellbeing at all times.

In contrast to other reasons of sickness absence, the case will not progress to Level 2 of the procedure if there has been no improvement in attendance levels. Instead, the employee will continue to be considered at Level 1 of the procedure with the focus of the follow up meeting(s) continuing to be supportive and with the manager exploring any further measures to improve the employee's attendance. This approach would continue until the employee's attendance had improved sufficiently, at which point they would move out of the procedure and normal monitoring would then apply.

It should be noted that if the employee goes off sick for any reason connected to their pregnancy within the four weeks before the baby is due (as stated on MatB1), the maternity leave will start immediately on the first day after their absence starts (even if they are subsequently fit to come back to work). For further information please see [Supporting Attendance and Wellbeing policy](#).

Time off for ante-natal care

An employee is entitled to reasonable paid time off to attend ante-natal care regardless of their length of service or hours of work, and taking into account the complexities of the pregnancy. After the first antenatal appointment an employee may be asked to provide evidence of the appointments to their line manager e.g. an appointment card or an email confirming a class booking. As much notice as possible should be provided, and preferably the appointments should be arranged for the start or end of the working day. Time for ante-natal care can vary in length for appointments, managers should approve leave off for appointments as appropriate, e.g. hours rather than half days.

Shared Parental Leave

An employee may wish to consider Shared Parental Leave provisions, whereby they can choose to share a period of leave and pay with their partner after the birth of the child. If eligible they would do this by ending/curtailing their maternity leave and/or pay at a future date and share the untaken balance of leave and pay with their partner. They may return to work early from maternity leave and opt into Shared Parental Leave and Pay at a later date.

For further information please refer to the Shared Parental Leave Guidance.

Neonatal Care Leave

Neonatal care leave (NCL) is a leave entitlement available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth.

For further information please refer to the Neonatal Care Leave and Pay Guidance.

SECTION 4: DURING MATERNITY LEAVE

Reasonable contact

The purpose of reasonable contact is for the employee to stay in touch with their line manager during their maternity leave. The line manager and employee should agree how contact will be made and how often, prior to commencing maternity leave. It is an opportunity for the employee to find out from their line manager about any developments or changes at work, any relevant promotion opportunities or to talk about plans to return to work.

Keeping in touch (KIT) days

Keeping in touch (KIT) days can help an employee stay in touch with the organisation during their maternity leave and to make it easier for both the employee and line manager when it comes to returning to work.

An employee is not obliged to do any work or attend any work-related events during their maternity leave, however, they may work **up to 10 days** should they wish. These days do not have to be limited to their normal job, and instead could be used for training or other work-related events.

Although an employee is entitled to a maximum of 10 KIT days during maternity leave they can only use a maximum of 2 days in any one week. Also, they cannot use any KIT days during the first two weeks after the baby is born. Arrangements for KIT days should be discussed and agreed between the employee and line manager, ideally at least 7 days in advance, detailing the dates and times they wish to work.

Any work completed as a KIT day, even a one-hour training course for example, will be counted as a whole KIT day. The employee will be paid at the normal contractual rate of pay (inclusive of any maternity pay where applicable) for the days worked and if the employee works less than a full working day as a KIT day they will be paid for the actual hours worked. Once the employee has carried out a KIT day, the line manager must email People Services (AskHR@aberdeencity.gov.uk) confirming the date the employee undertook their KIT day and the number of hours completed. Managers are responsible for keeping a record of how many KIT days an employee has undertaken to ensure they do not work more than the maximum of 10 days.

Right to live and work in the UK

If the employee is working in the UK on a visa or work permit, they must maintain their right to live and work in the UK during maternity leave. They must also be able to produce this documentation at any time if requested to do so.

PVG

If the post requires the employee to be a member of the Protecting Vulnerable Groups (PVG) scheme and if the employee is outside the UK for more than 3 months during their maternity leave, they will need to provide a foreign police check before

returning to work. Guidance on how to obtain a foreign police check can be found on the [Foreign & Commonwealth Office website](#).

Professional Registration

If the post requires the employee to be registered with a professional body such as Scottish Social Services Council (SSSC), Law Society of Scotland etc, they must continue to pay any registration fee and remain registered during maternity leave.

SECTION 5: PREPARING TO RETURN TO WORK

Notification of returning to work

An employee returning to work after 52 weeks of maternity leave is not obliged to notify their line manager of the date on which they will be returning to work, as the date of return will be assumed to be the day following the end of the 52 week period. However, as part of the reasonable contact the employee has with their line manager during maternity leave, it is encouraged to discuss when they will be returning to work and also how they will use any accrued annual leave and public holiday entitlement.

An employee planning to return to work early from maternity leave (i.e. before the end of the 52 week period), must complete the **Notification of Early Return to Work** form (see Appendix 2) at least 8 weeks before the date on which they intend to return. The line manager will advise the employee of any accrued annual leave and public holiday entitlement prior to returning to work and agree when this will be taken.

Redundancy Protection

An employee will normally return to the same job that they had before going on maternity leave. However, if this is not possible due to exceptional circumstances (e.g. redundancy or reorganisation) they will be offered a suitable alternative post with comparable duties, terms and conditions, pay and location where such a vacancy exists, and supported under the Councils Redeployment procedure.

Pregnant employees must be treated the same as other employees when being considered for redundancy and have the additional right to be offered suitable alternative employment in priority to other employees who are not in a protected position. An employee cannot be selected for redundancy based on criteria relating to their pregnancy.

Flexible working arrangements

If an employee would like to return to work on a flexible working basis (e.g. part time hours), they should make an application on the standard form, in accordance with the Flexible Working Policy, to their line manager as far in advance of their planned return date as possible. This will allow the line manager sufficient time to consider their request and to make the necessary arrangements. The application should include details of the hours/days the employee would wish to work and should suggest how their flexible working arrangement could operate in practice.

Whilst the law gives an employee the right to request flexible working from their first day back after maternity leave, the line manager does not have to agree to the request, but it does have to consider the request seriously.

Please see the Council's [Flexible Working Policy](#) and [Flexible Working Guidance](#) for further information.

Career Break

A career break may be taken immediately after a period of maternity, adoption or shared parental leave where the employee meets the qualifying criteria. The employee will be required to take any annual leave accrued during the maternity, adoption or shared parental leave period immediately prior to commencing the career break. The career break would therefore commence on the date immediately following any such period of annual leave, where requested.

If the employee has received the 12 weeks maternity pay at 50% of their pay and fails to return to work for at least three months at the end of the maternity, shared parental leave or at the end of the career break which follows immediately after, they will be required to pay back the 12 weeks at 50% of normal pay. For further information please see the Council's [Career Break Policy](#).

Risk Assessment for returning to work

The Council has a responsibility to ensure that an employee who returns to work within 6 months of giving birth, or breastfeeding mothers/birth parent, are not exposed to any risks that could damage their health and safety. A review of the workplace risk assessment will be undertaken by the line manager. This is to check whether any new risks have arisen, and where this is the case take appropriate action to reduce, remove or control such risks.

Breastfeeding

An employee who is breastfeeding and returning to work should inform their line manager giving appropriate notice before returning so that arrangements and facilities for breastfeeding or expressing milk can be identified and put in place. A suitable private location should be identified, with it not being appropriate to use toilets for this purpose. The employee can also request reasonable time off during working hours to breastfeed their baby (depending on the location), or to express milk. The line manager will consider the request and will normally grant this, assuming the time off is reasonable. The employee could also consider using flexible hours for this purpose.

There are dedicated rest rooms available to book at Marischal College and the Town House (i.e. First Aid-Parent Rooms) for breastfeeding employees. This is done through the normal electronic room booking system (please note that medical emergencies would take priority over any booked time). Rest areas will be identified at other Council sites as required.

Annual leave and public holidays accrued during leave

Annual leave and public holidays continued to accrue when on maternity leave. Annual leave and public holiday entitlement will be calculated and the employee will be able to take the accrued annual leave at the end of their maternity leave.

The line manager and employee should discuss when leave can be taken in line with operational requirements of the Service.

Accrued leave entitlement will usually be taken at the end of the maternity leave period, before returning to work. If the accrued leave cannot all be taken before the end of the leave year, it can be carried over into the following leave year.

The employee may wish to take accrued leave in a variety of ways e.g.:

- finish maternity leave and immediately take accrued leave, thus extending your time off work but receiving pay
- use accrued leave to phase your return by working reduced hours and taking leave for the remaining hours therefore receiving full pay
- finish maternity leave, return to work, then take regular holidays. Whatever your preference it must be discussed and agreed with your line manager

Deciding not to return to work after maternity leave

If the employee decides not to return to work after maternity leave, and so wishes to resign, they should submit their resignation in writing to their line manager. The contract end date will be in accordance with the notice period stated in the contract of employment. Payment for any annual leave and public holiday days accrued during the maternity leave period, along with any other outstanding money due, will be included in the final salary payment. The line manager will contact the employee to arrange for the return of any Council property e.g. ID badge, fob, keys, computer equipment etc.

Resigning whilst on maternity leave will only affect the amount of maternity pay if the employee were eligible to receive Occupational Maternity Pay and they chose to receive payment of the 12 weeks at 50% of normal pay. If the employee does not return to work at the end of the maternity leave because they have chosen to resign, they will be required to pay back the 12 weeks at 50% of normal pay. People Services will contact you to arrange for this money to be repaid.

SECTION 6: Further Information and Support

Support and advice

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.
- [Tax-Free Childcare](#) - Employees who wish to find out more about joining a Childcare Scheme can look into the Government's Tax-Free Childcare (TFCC).

External Support

- GOV.UK: [Maternity pay and leave guide](#)
- ACAS: [Your maternity leave and pay rights](#)
- Citizens Advice: [Maternity leave and pay](#)
- NHS: [Maternity and paternity benefits](#)
- Maternity Action: [UK Maternity Rights Charity](#)
- Working Families: [Benefits and other financial support](#)

Related policy and guidance

- Family Leave Policy
- [Supporting Attendance and Wellbeing Policy](#)
- Shared Parental Leave Guidance
- Paternity Leave Guidance
- Neonatal Care Guidance
- [Flexible Working Policy](#)
- [Flexible Working Guidance](#)
- Parental Bereavement Leave Guidance
- The Family Leave Planning Toolkit
- [Career Break Policy](#)
- [Risk Assessment Guidance](#)
- Special Leave Policy
- Supporting Attendance and Wellbeing Policy

Further Advice

For advice and guidance on the application of this guidance please contact People Services.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

SECTION 7: Appendices

Appendix 1: Application for Maternity Leave Form

You are entitled to maternity leave regardless of your length of service or hours of work if you:

- 1) Submit a copy of the maternity certificate (MAT B1 form) available from a registered doctor or midwife stating the expected date of childbirth to your line manager by the end of the 15th week before the expected week of childbirth (or as soon as possible) and;
- 2) Complete and submit this form to your line manager by the end of the 15th week before the expected week of childbirth (or as soon as possible).

If you do not complete and submit this form along with the original copy of the MAT B1 form within the required timescale, you may not be entitled to maternity leave.

PERSONAL DETAILS

NAME (in full):	
PAYROLL NUMBER:	
HOME ADDRESS:	
JOB TITLE:	
LINE MANAGER:	
EMPLOYMENT STATUS:	PERMANENT / FIXED TERM / CASUAL (please select as appropriate)
HOURS PER WEEK:	
NOTIFICATION I am pregnant and wish to apply for maternity leave. I attach Form MAT B1 from my doctor/midwife which gives my expected date of childbirth	Expected date of child birth:
START OF MATERNITY LEAVE PERIOD (Note: Your maternity leave can start at any time beginning with the 11 th week before the expected week of childbirth. Maternity leave can start on any day of the week.)	Intended start date of maternity leave:

**ARRANGEMENT FOR PAYMENT OF 12 WEEKS AT 50% OCCUPATIONAL
MATERNITY PAY (please tick the appropriate box)**

This only applies to employees who have 26 weeks' continuous service (see guidance for definition and further details) or more by the end of the 15th week before the expected week of childbirth.

Please **pay me** 12 weeks at 50% Occupational Maternity Pay. If I don't return to work for a period of 12 completed calendar weeks at the end of my maternity leave, I understand that I will be required to pay back this money (repaid on a pro rata basis if I return for less than 12 completed calendar weeks).

Please **do not pay me** 12 weeks at 50% Occupational Maternity Pay. If I return to work for a period of 12 completed calendar weeks at the end of my maternity leave, I understand that I will be paid this money (paid on a pro rata basis if I return for less than 12 completed calendar weeks).

SIGNATURE

I would like to apply for maternity leave in accordance with the information that I have provided.

Signed: Date:

Once completed and signed by the employee, this form should be emailed to People Services (AskHR@aberdeencity.gov.uk) by the line manager.

Appendix 2: Notification of Early Return To Work Form

You only need to complete this form if you are returning to work early from your maternity leave (i.e. before the end of the 52-week period). If this applies to you, this form should be completed and given to your line manager at least 8 weeks before the date on which you intend to return.

If you do not complete and submit this form within the required timescale, you may not be entitled to return to work early.

PERSONAL DETAILS

NAME (in full):	
PAYROLL NUMBER:	
HOME ADDRESS:	
JOB TITLE:	
LINE MANAGER:	
DATE MATERNITY LEAVE STARTED:	
DATE BABY WAS BORN You must take at least 2 weeks of compulsory maternity leave after your baby is born.	Date:
NOTIFICATION OF THE DATE ON WHICH YOU WISH TO RETURN TO WORK EARLY	I intend to return to work early on (date):

SIGNATURE

I declare that, in my opinion, I am medically fit to return to work early.

Signed:.....Date:.....

If you are unsure as to your medical fitness to work, you should ask the advice of your doctor before deciding to return to work early.

Once completed and signed by the employee, this form should be emailed to People Services (AskHR@aberdeencity.gov.uk) by the line manager

Appendix 3: Employee Checklist

Following the steps on this checklist will ensure the necessary actions are taken at the right time to receive maternity entitlements.

ACTION	TIMESCALE	COMPLETED
During Pregnancy		
Advise line manager of pregnancy to allow for risk assessment to be undertaken	As early into pregnancy as possible	
Consider whether to remain in salary sacrifice schemes , if applicable. Contact accmybenefits@aberdeencity.gov.uk for more information	As early into pregnancy as possible. Cancellation needs to be processed by the 24th week before the expected week of childbirth to provide the highest level of maternity pay	
Obtain MAT B1 form from doctor or midwife	Available from 20 weeks before the expected week of childbirth	
Submit Application for Maternity Leave form, along with a copy of the MAT B1 form to line manager	By the end of the 15 th week before the expected week of childbirth (or as soon as possible)	
Review Government Maternity leave and pay calculator for eligibility along with maternity leave planner	As early as possible into pregnancy	
Notify line manager of antenatal appointments	Provide as much notice as possible	
Explore Shared Parental Leave and Pay as an option with partner. More information can be found in the Shared Parental Leave and Pay Guidance or Gov.UK	Required to follow notification and curtailment of maternity leave and/or pay processes, providing notice at least 8 weeks before the first day of intended period of leave	
Discuss contact with line manager during maternity leave including preferred type of contact, frequency etc	Discuss prior to going on maternity leave	
During Maternity Leave		

If baby/babies have been in Neonatal within the first 28 days after birth, notify line manager as per the Neonatal Care Leave & Pay Guidance.	Notification to line manager should baby / babies be in neonatal for at least 7 consecutive days within the first 28 days of birth.	
If applicable, submit Notification of Early Return to Work form to line manager (only required if wish to return to work <u>early</u> i.e. before the end of 52-week maternity leave period)	At least 8 weeks before early return date	
Consider Childcare Scheme Options - More information is available at Tax-Free Childcare (TFCC)	As soon as possible	
Decide if want to do any Keeping in touch (KIT) days	Discuss and agree with line manager at least 7 days in advance, detailing the dates and times wish to work	
Identify if considering a Career Break	Discussion to take place as early as possible with line manager.	
Ensure continue to have the Right to Live and Work in the UK which is continuously required as an employee of the Council.	If due to expire whilst on maternity leave discuss with line manager prior to expiry date and notify People Services (AskHR@aberdeencity.gov.uk)	
For posts requiring PVG - If outside the UK for more than 3 months during maternity leave, will need to provide a foreign police check before returning to work.	Guidance on how to obtain a foreign police check can be found on the Foreign & Commonwealth Office website . Obtain as soon as returned to the UK	
For posts requiring professional registration - continue to pay registration fee and remain registered during maternity leave.	Arrange payment prior to current registration expiring	
Preparing to Return to Work		

If applicable discuss with line manager requirements to breastfeed or express milk for arrangements to be made	Discuss with line manager at least 4 weeks prior to return to work	
Consider if wishing to return on a flexible working basis (e.g. part time hours). Submit an application in accordance with the Flexible Working Policy and Flexible Working Guidance	As far in advance planned return date as possible	
Consider how wish to use accrued annual leave and public holidays, which continues to accrue when on maternity leave.	Discuss with line manager when leave can be taken in line with operational requirements of the Service as soon as possible	
Contact Pensions if wish to pay an Additional Pension Contribution (APC) to purchase any or all amounts of pension 'lost' during any unpaid period of maternity leave	Must be done within 30 days of returning to work for it to be a shared cost APC (Council pays 2/3rds and you pay 1/3 rd)	

Appendix 4: Line Manager Checklist

ACTION	TIMESCALE	COMPLETED
During Pregnancy		
Notified by employee of pregnancy, MATB1 form and application for maternity leave received by Line manager	Line manager to send forms to People Services (AskHR@aberdeencity.gov.uk) as soon as possible	
Complete Pregnancy Maternity - Risk-Assessment.docx	As early into pregnancy as possible	
Familiarise self with supporting attendance during pregnancy	As early as possible	
Employee notifies of antenatal appointments - grant paid special leave paid if the appointment falls during working hours	As appropriate	
Familiarise self with Shared Parental Leave Policy	As appropriate	
Discuss and agree with the employee how contact will be made and how often. Confirm with the employee how they want to know about service updates etc	Prior to commencing maternity leave	
During Maternity Leave		
If employee notifies that their baby / babies have had at least 7 consecutive days in Neonatal Care with the first 28 days of birth, complete the Notification of Neonatal Care Leave Form in accordance with the Neonatal Care Guidance.	Neonatal Care Leave Form to be submitted to People Services as soon as notified by employee.	
Keeping in Touch Days - inform AskHR of any KIT days completed. Email the People Services confirming the date the employee undertook their keeping in touch day and the number of hours completed.	As soon as the employee has carried out a keeping in touch day.	
If employee advises that they wish to take a Career Break . Consider request in accordance with Career Break Guidance.	As soon as request received	

Ensure employee has evidence of their Right to Live and Work in the UK which is continuously required during employment with ACC.	Discuss with employee prior to expiry date and notify the People Services	
For posts requiring PVG - If out with the UK for more than 3 months during maternity leave, employee will need to provide a foreign police check before returning to work	Obtain foreign police check from employee as soon as they return to the UK and prior to returning to work. Foreign & Commonwealth Office website	
If the post requires the employee to hold professional registration e.g. SSSC, Law Society for Scotland etc. Ensure employee is aware they must continue to pay their registration fees maternity leave.	As appropriate	
If employee advises that they intend to breastfeed / express upon returning to work identify a suitable private location for them to use.	As soon as possible	
Discuss and agree with the employee how they wish to use accrued annual leave and public holidays, which continues to accrue when on maternity leave. Take account of the operational requirements of the service in reaching an agreement.	As soon as possible	
If employee is returning to work earlier than 52 weeks ensure they have completed Early Return to Work Notification form and action accordingly.	Share completed form with People Services at least 8 weeks before early return date	
Consider requests from employee if they are wishing to return on a flexible working basis (e.g. part time hours). Application must be received in accordance with the Flexible Working Policy	As far in advance of their planned return date as possible and shared with People Services	

Check with employee that they have access to their work devices and are up to date.	Prior to employee returning to work	
Check that the employees account access has not been closed		
Return to Work		
Discuss how to best support the employee in returning to work i.e. Buddy/Mentor	Discussion to take place as soon as employee returns to work.	
Conduct a <u>DSE assessment</u> of workstation	Where appropriate	
Complete <u>Pregnancy Maternity - Risk-Assessment.docx</u> for employees who return to work within 6 months of giving birth, or breastfeeding mothers/birth parent, are not exposed to any risks that could damage their health and safety	As soon as employee returns to work.	
Arrange time with employee on their first week returning to work to provide an update on any changes implemented during their maternity leave	Within first week of returning to work.	
Ensure employee is aware they will need to check their training records are up to date i.e. mandatory training	As soon as returning to work.	
Sign post to <u>ABZ works</u> where additional support is available for employees to take care of themselves, physically, emotionally, and mentally	Where applicable	

Paternity Guidance



Document Control

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Owner	Isla Newcombe, Chief Officer People & Citizen Services
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Jun 2024 Version 3	Updated into standard guidance template Updated to be in line with the Paternity Leave (amendment) Regulations 2024 and language reviewed to ensure inclusive.
Feb 2026 Version 3	Paternity leave increased from 2 weeks to 4 weeks with changes to the pay provisions. Reasonable paid time off to attend ante-natal appointments as the supporting partner, in place of unpaid leave. Option to now take paternity leave after shared parental leave. Updated introduction section to ensure clarity on purpose, application and scope, and responsibilities. New Further Information and Support Section.

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SECTION 1: INTRODUCTION

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, to seek support when needed, and to make a successful transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful and kind, enabling teams to thrive.

The purpose of this guidance is to provide managers and employees with relevant information on paternity leave, including details on the available provisions, any eligibility criteria and application requirements.

Core to this guidance is that no employee will be adversely treated in the workplace due to them taking paternity leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

It does not apply to other workers, such as casual/relief workers, self-employed, contractors or agency workers. Workers should check the government website to see if they may be eligible for Statutory Paternity Pay.

This guidance incorporates relevant national and local conditions of service and legislation, and accounts for the Paternity Leave (amendment) Regulations 2024 which came into force on 8 March 2024 and applies to babies born after 7 April 2024. This guidance is applicable from the date of implementation.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request paternity leave. This includes sharing details of the Council's Employee Assistance Programme and Mental Health and Wellbeing Support.

Managers will treat information relating to an employee's paternity leave and pay with respect and confidentiality.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take paternity leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

Employees are expected to:

- ensure that they meet any criteria required before requesting paternity leave. It is recommended for employees to talk informally with their manager as soon as possible about how and when they will take the leave.
- provide their line manager with as much notice as possible of any time off request(s) providing appropriate evidence of the appointment(s).

SECTION 2: BEFORE PATERNITY LEAVE

This guidance applies to employees who are:

- in the case of births, the father or civil partner or partner (partner means a person of either sex who lives with the mother in an enduring family relationship but is not her parent, grandparent, sibling, uncle or aunt) or nominated carer of the expectant mother
- in the case of adoptions, the spouse or civil partner or partner of the primary adopter
- in the case of surrogacy arrangements, see surrogacy – [Paternity leave and pay – ACAS](#).

Time off for ante-natal appointments

Employees are able to take reasonable time off to attend ante-natal care appointments regardless of their length of service or hours of work, and taking into account the complexities of the pregnancy. After the first antenatal appointment the employee may be asked to provide evidence of the appointments to their line manager e.g. an appointment card or an email confirming a class booking. As much notice as possible should be provided, and preferably the appointments should be arranged for the start or end of the working day. Time for ante-natal care can vary in length for appointments, managers should approve leave off for appointments as appropriate, e.g. hours rather than half days. If the employee exercises their right to take time off to attend antenatal appointments, they have protection against unfair treatment, discrimination or dismissal.

SECTION 3: PATERNITY LEAVE AND PAY

Entitlement

Paternity leave applies to all employees (except casual and relief workers) of the Council, irrespective of hours of work and length of service.

Employees are entitled to only one allowance of paternity leave irrespective of whether the expectant mother/birth parent is expecting more than one baby or more than one baby through a surrogacy arrangement or more than one child is being placed for adoption.

Paternity leave is available to a baby's father, or the partner or nominated carer of an expectant mother/birth parent at or around the time of the birth. For adoption or surrogacy paternity leave is available to the adopter's or surrogacy parent's spouse or partner who must have or expect to have responsibility for the child's upbringing.

For paternity leave for surrogacy the intended parent must intend to apply for a parental order in the 6 months after the baby's birth and expect it to be granted.

The baby's father, or partner or nominated carer of the expectant mother / birth parent or adoptive or surrogacy parent must be an employee of the Council and only one of the foregoing may be granted paternity leave in relation to any one pregnancy/adoption/surrogacy arrangement.

A partner is someone who lives with the mother/birth parent/primary adopter/surrogacy parent of the baby in an enduring family relationship but is not an immediate relative.

If an employee applies for paternity leave on the basis of being a 'nominated carer' (in the case of births) then they require to detail on the request form why they have been chosen by the mother/birth parent to fulfil this role including details as to why the father/partner is unable to provide such support.

A nominated carer is a person nominated by the mother/birth parent to assist in the care of the baby and to provide support to the mother/birth parent at or around the time of the birth (assuming the father or mother's partner is unable to undertake the role).

Taking Paternity Leave

Employees will be able to take up to 4 weeks paternity leave. This leave can be taken in either blocks of one week or multiple weeks rather than solely a single continuous period of 4 weeks leave. Please note this leave cannot be taken as singular days off.

Paternity leave can be taken at any time in the first 52 weeks after the birth or the date the adoption placement starts or the date the child enters Great Britain if an overseas adoption. Paternity leave cannot start before the birth.

If an employee requests time off to attend the birth/surrogacy birth, this time off will not be regarded as part of the paternity leave period. Instead, time off to attend the birth will be granted for up to a period of 24 hours and will be classed as special leave.

Employees can change their mind about the date on which they want their leave to start, provided they tell their line manager at least 28 days in advance, or as soon as reasonably practicable.

If the baby is born early, employees can take paternity leave from the date the baby is born. The leave must end within 52 weeks of the start of the week the baby was due. Employees should notify their line manager of the change of date so they can notify People Services.

If the baby is born late, the employee must tell their line manager the new date they are starting their paternity leave as soon as reasonably practicable. The line manager will notify People Services of the change.

If there is a stillbirth or the baby only lives for a short time, it might be difficult for the employee to notify their line manager. In this instance, the employee can arrange for someone else to inform their line manager on their behalf, for example a family member or friend.

Line managers will offer support to the employee and their family during this time, and when the employee is ready, they can talk about what time off they think they will need.

The employees paternity rights will still apply if the baby:

- is stillborn after 24 weeks of pregnancy
- is born alive at any stage of the pregnancy but only lives for a short time

Employees can take paternity leave:

- at the time it was planned for – if they had already booked the leave before the baby died
- within 8 weeks of the baby's death – if they had not already booked paternity leave

Employees are also eligible for parental bereavement leave and pay if the baby dies or is stillborn, and have the right to take this after they finish their paternity leave (please refer to the Family Leave Policy for more details).

If an adoption is 'disrupted', meaning it does not go ahead, perhaps due to the child having to return to the adoption agency or foster care, or has passed away, the Council will continue to pay paternity pay. Experiencing a disrupted adoption can be very upsetting and it may be difficult for the employee to notify their line manager. In this instance, the employee can arrange for someone else to inform their line manager on their behalf, for example a family member or friend.

Line managers will offer support to the employee and their family during this time, and when the employee is ready, they can talk about what time off they think they will need.

Paternity pay

Employees are entitled to paternity pay for the 4 week's leave as follows:

- The first two weeks of paternity leave is paid at the normal contractual rate of pay for the job.
- Week 3 and 4 of paternity leave the employee will be paid at 90% of their average weekly earnings.

The definition of 'average weekly earnings' for the purpose of Paternity Pay is the gross average of all payments made to the employee in the 8 week period up to and including the last pay day before the end of the 15th week before the expected week of childbirth.

Employees are not entitled to payment in lieu if they only elect to take some of their paternity leave.

Notifying intent and applying for Paternity Leave

The notification requirements for paternity leave for births, UK adoption, overseas adoption and surrogacy vary.

The employee should submit their notification of intention to take paternity leave in writing, to their line manager, using the notification for paternity leave form (see Appendix 1) applicable to their specific situation, and to enable the service to plan for their period of leave:

For births: the employee must complete and submit the notification form (Appendix 1) to their line manager by the end of the 15th week ('qualifying week') before the expected week of childbirth.

They are required to inform:

- that they are having a baby
- that they plan to take paternity leave
- of the expected week of childbirth

The line manager will acknowledge receipt of their submitted form. For each period of leave the employee wishes to take they must provide at least 28 days' notice and can apply using Appendix 5.

For UK adoptions: The employee must complete and submit the notification form (Appendix 2) to their line manager within 7 days of being notified by the adoption agency that they have been matched with a child, and within 28 days provide documentary evidence of the adoption where requested e.g. copy of Matching

Certificate or other appropriate documentary evidence confirming the match such as a letter from the adoption agency.

They are required to inform:

- the date they were notified of being matched with the child
- when they expect the placement to start, or when it started if it's already started
- if they have, or expect to have, responsibility for bringing up the child
- if they are married to, the civil partner or partner of the child's main adopter

For each period of paternity leave the employee wishes to take, they must confirm: the date they want the period of leave to start and how long it will last confirmation in writing that the purpose of the leave is to care for the child or the child's main adopter, or both

For overseas adoptions: The employee must complete and submit the notification form (Appendix 3) to their line manager within 28 days of either the date of the official notification of adoption or the date the employee completes 26 weeks of working for the Council – whichever of these dates is later.

They are required to inform:

- the date the child's main adopter received an official notification of the adoption
- the date the child is expected to enter Great Britain, or if they have already entered Great Britain, the date they entered
- if they have, or expect to have, responsibility for bringing up the child
- if they are married to, the civil partner or partner of the child's main adopter
- if the child's main adopter has received an official notification of the adoption

For each period of paternity leave the employee wishes to take, they must confirm the following and provide at least 28 days' notice (Appendix 4):

- the date they want the period of leave to start and how long it will last
- confirmation in writing that the purpose of the leave is to care for the child or child's main adopter, or both

For surrogacy: The employee must complete and submit the notification form (Appendix 4) to their line manager by the end of the 15th week ('qualifying week') before the expected week of childbirth (or as soon as reasonably practicable).

The employee will be required to provide either a copy of a statutory declaration from a solicitor confirming the intention to apply for a parental order or a copy a parental order granted by the Court and their application form.

They are required to inform:

- that they have, or expect to have, responsibility for bringing up the child
- that they are married to, the civil partner or partner of the other intended parent
- that they and the other intended parent are parental order parents of the child

For each period of leave the employee wishes to take they must confirm the following and provide at least 28 days' notice (Appendix 5):

- the date they want the period of leave to start and how long it will last
- confirmation in writing that the purpose of the leave is to care for the child or the child's other intended parent, or both

Parental leave and shared parental leave

In addition to paternity leave, under the Shared Parental Leave provisions, if eligible, employees can choose to share a period of leave and pay with their partner/support person after the birth, placement of the child or surrogacy birth. The mother/birth parent (births) or adopting parent (adoptions and surrogacy) would require to end/curtail their maternity/adoption leave and/or pay at a future date and share the untaken balance of leave and pay with their partner or return to work early from maternity/adoption leave and opt into Shared Parental Leave and pay at a later date.

Preferably the 4 weeks of paternity leave and pay should be taken prior to any periods of Shared Parental Leave, however, the Council does provide for this to be taken after, in agreement with the line manager.

Please refer to the Shared Parental Leave Guidance for full details.

Contractual conditions

During paternity leave all contractual conditions of employment will continue.

The employee will normally return to the same job that they had before going on paternity leave. However, if this is not possible due to exceptional circumstances (e.g. redundancy or reorganisation), the employee will be offered a suitable alternative post with comparable duties, terms and conditions, pay and location where such a vacancy exists, and supported in accordance with the Council's Redeployment procedure.

Local Government Pension Scheme (LGPS) pension contributions

Where applicable, pension contributions will continue to be payable during the period of paternity leave on the actual pay received, with pension service counted as normal.

SECTION 4: FURTHER INFORMATION AND SUPPORT

Support and advice

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.
- [Tax-Free Childcare](#) - Employees who wish to find out more about joining a Childcare Scheme can look into the Government's Tax-Free Childcare (TFCC).

External support

- GOV.UK: Paternity pay and leave
- ACAS: Paternity leave rights
- Shared Parental Leave Guide: GOV.UK SPL
- Maternity Action: Rights at work for fathers and partners including same sex partners
- NHS: Maternity and paternity benefits and leave - NHS

Links to other related policies and guidance

- Family Leave Policy
- Adoption Leave Guidance
- Career Break Policy
- Employee Assistance Programme
- Flexible Working Guidance
- Flexible Working Policy
- Maternity Leave Guidance
- Mental Health and Wellbeing Support
- Parental Leave Guidance
- Special Leave Policy

- Support Attendance and Wellbeing Policy
- Supporting Carers in the Workplace Guidance
- The Family Leave Planning Toolkit

Further Advice

For advice and guidance on the application of this guidance please contact People Services - askhr@aberdeencity.gov.uk.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

SECTION 4: APPENDICES

Appendix 1: Notification of Paternity Leave – For Births

You are required to give notification to your line manager of your intention to take paternity leave by the end of the 15th week before the baby is expected so that the Service can begin to plan for your period of leave.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date expected week of child birth	
I am the child's father	YES / NO
I am married to, the civil partner or partner of the mother or birth parent	YES / NO

I will inform my line manager of the actual date(s) I wish to start my paternity leave 28 days prior to the expected period of leave by submission of the appropriate 'Application for Paternity Leave' form.

SIGNED:

DATE:

Appendix 2: Notification and Application of Paternity Leave – UK Adoption

You are required to give notification to your line manager of your intention to take paternity leave within 7 days of being notified that you have been matched with a child, or as soon as is reasonably practicable, so that the Service can begin to plan for your period of leave. You are also required to give notification at this time as to when you wish to take paternity leave.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date notified of being matched to a child	
The expected date for placement to start, or when it has started if its already started	
I have, or expect to have responsibility for bringing up the child	YES / NO
Relationship to the partner of the child's main adopter (married to/civil partner/partner)	
Reason for leave (care for the child or the child's main adopter, or both)	

I wish to take paternity leave on the following dates (please note paternity leave can be taken in separate complete 1 week blocks or in multiple weeks up to a maximum of 4):

Week One	
Week Two	
Week Three	
Week Four	

SIGNED:

DATE:

Appendix 3: Notification of Paternity Leave – Overseas Adoption

You are required to give notification to your line manager of your intention to take paternity leave within 28 days of the date of the official notification of the adoption.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date received official notification of adoption	
Date child is expected to enter Great Britain or the date they entered	
I have, or expect to have responsibility for bringing up the child	YES / NO
Relationship to the partner of the child's main adopter (married to/civil partner/partner)	
The main adopter has received an official notification of the adoption	YES / NO

I will inform my line manager of the actual date(s) I wish to start my paternity leave 28 days prior to the expected period of leave by submission of the appropriate 'Application for Paternity Leave' form.

SIGNED:

DATE:

Appendix 4: Notification of Paternity Leave – For Surrogacy

You are required to give notification to your line manager of your intention to take paternity leave by the end of the 15th week before the baby is expected, so that the Service can begin to plan for your period of leave.

Please note that this form does not constitute your application for paternity leave (see Appendix 5).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to notify you that I will be applying for paternity leave and confirm the following:

Date expected week of child birth	
I have or expect to have responsibility for bringing up the child	YES / NO
I am married to, the civil partner or partner of the mother or birth parent	YES / NO
I and the other intended parent are parental order parents of the child	YES / NO

I will inform my line manager of the actual date(s) I wish to start my paternity leave 28 days prior to the expected period of leave by submission of the appropriate 'Application for Paternity Leave' form.

SIGNED:

DATE:

Appendix 5: Application for Paternity Leave

(Please read the Paternity Guidance before completing this application)

Regardless of the length of an employee's service or hours of work, paternity leave with pay will be made available to a baby's father, or the partner or nominated carer * of an expectant mother / birth parent at or around the time of the birth/adoption placement/surrogacy birth (whichever applies).

This application should be submitted to your line manager for each period of paternity leave you would like to take, providing at least 28 days' notice.

NB * a nominated carer is a person nominated by the mother/birth parent to assist in the care of the baby and to provide support to the mother/birth parent at or around the time of the birth (assuming the father or mother's/birth parents partner is unable to undertake the role).

PERSONAL DETAILS	
Name (in full)	
Employee Number	
Job Title	
Line Manager	

I wish to take paternity leave on the following dates (please note paternity leave can be taken in separate complete 1 week blocks or in multiple weeks up to a maximum of 4):

Week One	
Week Two	
Week Three	
Week Four	

2. RELATIONSHIP DETAILS

I am (please tick the relevant option):

the child's father	
married to, the civil partner or partner of the mother or birth parent – this includes same-sex partners	
the partner of the expectant mother / birth parent	
the primary adopter's partner	
a surrogacy parent	
the nominated carer of the expectant mother / birth parent *	

(* If you are the nominated carer, provide reasons as to why you have been chosen detailing why the father/primary support person is unable to provide such support.)

3. DECLARATION AND SIGNATURE

If applying as the father or partner of the expectant mother/birth parent:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned mother/birth parent within 52 weeks of the date of birth and to assist in the care of the baby and will have responsibility for the child's upbringing.

Signed:

Date:

If applying as the nominated carer:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned mother/birth parent within 52 weeks of the date of birth and to assist in the care of the baby and I confirm that I will have sole responsibility for paternity care.

Signed:

Date:

If applying as the primary adopter's partner:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned adoptive parent within 52 weeks of the child's placement to assist in the care of the child and I confirm that I will have sole responsibility for paternity care. I submit either a copy of a letter from the adoption agency or the matching certificate

Signed:

Date:

If applying as a surrogacy parent:

With reference to the Paternity Guidance, I declare that I am applying for paternity leave in accordance with the Guidance, to provide support to the above mentioned surrogacy parent within 52 weeks of the surrogacy birth to assist in the care of the baby and I confirm that I will have sole responsibility for paternity care. I submit either a copy of a statutory declaration from a solicitor or a parental order

Signed:

Date:

Appendix 6: Confirmation of Paternity Leave Letter

PERSONAL
(Employee Name)
(Job Title)
(Cluster)
(Function)
(Location)

Dear (Employee Name)

PATERNITY LEAVE (FOR BIRTH/ADOPTION/SURROGACY ARRANGEMENT PURPOSES)* (*delete as appropriate)

I acknowledge receipt of your application for paternity leave in accordance with the Council's Paternity Guidance.

I confirm that you are granted paternity leave from your post of (job title) to be taken as follows:

Week One	
Week Two	
Week Three	
Week Four	

You will receive your salary and other conditions of service as normal whilst you are on paternity leave / You will receive Statutory Paternity Pay as well as your other conditions of service during the period of your paternity leave. (delete as appropriate, see the Paternity Guidance).

Yours sincerely

HR Service Centre

c.c. Personal File
Payroll Section – for information

Appendix 7: Paternity leave and pay entitlement Summary - What employees need to know

What is Paternity Leave?

Paternity leave is time off work for a father, partner, or nominated carer, or spouse/partner of the adopter or surrogacy parent to care for a new child.

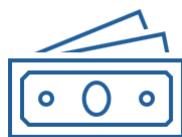


During this leave, you keep your job rights and get full pay.

How much leave can you take?



Employees can take one, two, three or four weeks of leave, which can be taken together or separately



How much pay will I receive?

Employees will receive their usual salary and conditions of service

during paternity leave

Notification requirements

Births: Notify by the end of the 15th week before your baby is due, using the correct form. Give at least 28 days' notice before each period of leave.

UK Adoption: Notify within 7 days of match notification and provide documentary evidence within 28 days. Specify intended leave dates and reasons.

Overseas Adoption: Notify within 28 days of official adoption notification or after 26 weeks of service, whichever is later. Provide intended leave dates and reasons with 28 days' notice.

Surrogacy: Notify by the end of the 15th week before expected birth. Provide statutory declaration or parental order and intended leave dates with 28 days' notice.

Who can take Paternity Leave?

Father
Partner
nominated carer
or spouse/partner of adopter or surrogacy parent

Key Points
The leave is a day-one right



NB. Applies to all employees excluding those covered by SNCT terms.

When can you take the leave?

Within the first 52 weeks following the birth, adoption placement, or child's entry into Great Britain (for overseas adoption).



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Other conditions

Entitled to one allowance of paternity leave per pregnancy/adoption/surrogacy event, regardless of multiples.

Employees can take unpaid time off for up to two antenatal, pre-adoption or surrogacy appointments, each lasting up to 6.5 hours, and are protected from unfair treatment.

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Supporting Carers at Work Guidance



Document Control

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SECTION 1: INTRODUCTION

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on carer's leave, including details on the available provisions, any eligibility criteria, application requirements and support options.

Undertaking a caring responsibility can be challenging and may result in carers having to give up their employment because they are unable to manage both roles. The Council and its managers can help carers to remain in work, by creating a working environment in which carers feel valued and supported and at the same time ensuring that operational requirements are met. By supporting carers who work for the Council, the organisation retains skilled and experienced individuals.

Core to this guidance is that no employee will be adversely treated in the workplace due to taking carer's leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

This guidance incorporates The Carer's Leave Act 2023, effective April 6 2024, which grants employees the right to take up to one week of unpaid leave annually to care for dependents with long-term care needs.

Responsibility of Managers

Managers should ensure that they are familiar with this provision of this guidance and are supportive of any employee seeking to request support in their caring responsibilities.

Managers should ensure that their teams are aware of the support offered to carers.

No two situations will be the same, and managers should ensure that a carers situation is treated sensitively, fairly and confidentially. It can be daunting discussing elements of our personal life in the workplace, so managers must do all they can to build a trusting and open relationship with their employees.

Where a manager is supporting an employee who is a carer, there should be regular opportunities for the employee to share any changes in their caring responsibilities. All requests from employees for support should be considered based on an understanding of the situation and its impact on the employee.

Managers should also maintain an awareness of the possibility that where an employee is experiencing difficulties at work, this may be linked to a caring responsibility that they have yet to disclose to their manager.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take carer's leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

SECTION 2: CARERS IN THE WORKPLACE

The Carers (Scotland) Act 2016 defines who is considered as a carer in Scotland with carer meaning an individual who provides or intends to provide care for another individual (the cared for person). One in seven employees are balancing caring responsibilities with work with many giving up work every day when this is no longer possible. Unlike parents, many carers are invisible in the workplace, can be reluctant to discuss their personal situation and are often unaware of the support available to them.

This guidance covers leave provisions and support for the following types of carers:

Working Carer

A working carer is someone who is managing both paid work and unpaid caring responsibilities. These employees are responsible for the care and support of a relative or friend who is older, disabled, seriously ill (physically or mentally) and unable to care for themselves. This does not include individuals who are employed as a paid professional carer or whose caring role relates solely to a child or children who do not have a long-term illness or disability.

The activities these carers undertake are wide-ranging, including help with personal care, help with mobility, managing medication, practical household tasks, emotional support, and help with financial matters or paperwork etc. Carers may also need to attend meetings or appointments with, or on behalf of, the dependant, some of which may be planned and others at short notice. Accidents and illnesses can occur without warning, and care arrangements can break down unexpectedly. The ability to take leave in an emergency is important for carers, who may be called upon at short notice.

Employees have a statutory right to take unpaid, reasonable time off work to deal with unforeseen and emergency matters regarding a dependant.

Carer's Leave is detailed in section 3.

Kinship Carer

Kinship carers are family or friends who step in, often during an unexpected crisis, to care for a child when their birth parents are unable to. This may be because the parent has died, is unwell, has gone to prison, is experiencing problems with drugs and alcohol, or are neglectful or abusive. Kinship carers are usually grandparents, aunts or uncles, brothers or sisters, a step parent, step sibling, or someone who isn't related but know the child(ren) well.

Kinship Carers may be eligible for an allowance; details of which can be found on the government website. [Kinship care – \(Looked after children - gov.scot\)](https://www.gov.scot/looked-after-children)

A kinship carer can also be a carer, under The Carers (Scotland) Act 2016, even where they have a kinship carer agreement with the local authority. This is only for kinship carers who meet the other requirements of the meaning of carer, as above, so not where the care is simply because of the child's age.

Kinship Carer's Leave is detailed in section 4.

Foster Carer

Fostering in Scotland involves becoming a foster carer to provide a home for children who cannot live with their birth families. To become a foster carer, an individual must be over 21, have a legal right to work in the UK, have a spare bedroom, and be able to provide a stable, loving home.

A foster carer takes care of a 'looked after' child when they cannot stay in their own home or with a [kinship carer](#). A child is 'looked after' when the local council has a legal responsibility for their wellbeing. The process includes a rigorous assessment and training, and while there is no upper age limit, they will need patience and resilience. An individual can apply through their local authority or an independent fostering agency.

As foster carers receive payment, they are not eligible for any leave associated with unpaid carers detailed in this guidance.

Foster Carer's Leave is detailed in section 5.

Carer Passport

A carer passport is a record which helps carer's to be identified, recognised and supported in employment. This passport can be used by employees to support them and their manager to have a supportive conversation and document the flexibilities needed to support the employee in managing their personal and work responsibilities, including recording any actions or adjustments agreed. The information is confidential and treated accordingly.

The passport can be reviewed and amended throughout the employee's employment with the Council.

In considering the carer leave options available, employees and managers are also encouraged to consider using the carer passport as an additional support. Please refer to the carer passport for full details.

SECTION 3: CARER'S LEAVE

The Council offers two types of carer's leave – Statutory Carer's Leave and Registered Carer's Leave. An employee is entitled to one or the other based on meeting eligibility criteria.

Statutory Carer's Leave

Employees who are caring for a dependant with a long-term care need (i.e. a disability defined under the Equality Act 2010, illness or injury likely to need care for at least 3 months or a care need related to old age) are legally entitled to one week of unpaid flexible leave per year.

This right to carer's leave applies from the first day of employment, and can be used to give or to arrange care for a dependant who needs long-term care.

There is no requirement for the employee to evidence their caring responsibilities to be able to apply for statutory carer's leave.

Registered Carer's Leave

Where the employee is registered as a carer and able to evidence this, the Council will grant one week paid leave per year. This is instead of the statutory unpaid carer's leave.

To be eligible, evidence of being a registered carer must be provided from one of the following; a GP, other Health Care professional, your local carers centre or social work department.

Taking Carer's Leave

Where the employee cares for more than one dependant, the leave entitlement is capped at the provisions above, however this leave can be used for more than one dependant, for example 3 days for one dependant and 2 days for another.

Employees can take up to one week of carer's leave a year, and can choose to take leave as:

- hourly – (the minimum block of time the employee can take)
- half days
- full days
- a whole week

An employee is entitled to a period of leave that is equal to their usual working week. For example, if an employee works 3 days a week, they can take 3 days of Carer's Leave per year.

Where possible if the employee requires Carer's Leave, they should notify their line manager before the start of their leave in accordance with the following notice periods:

Number of days requested	Minimum notice period
1 hour to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice
6 days (if an employee works 6 days a week)	12 days' notice

An employee may need to take time off at short notice to care for a dependant and where possible managers should be flexible with agreeing time off.

Managers cannot refuse the employee's request for Carer's Leave however they can request the leave is taken at a different time if it would cause serious disruption to service delivery. If a manager is required to delay the leave, they must agree another date within one month of the date the employee originally requested leave for and explain in writing the reason they need to delay the leave. This must be within 7 days of receiving the request or before the leave starts, whichever is earlier. See Appendix 1 for template letter.

If the employee needs to cancel their carer's leave request, they should do this as soon as possible.

Carer's Leave (paid and unpaid) should be requested by the employee via the HR/Payroll system.

SECTION 4: KINSHIP CARER'S LEAVE

The Council recognises the important role played by kinship carers in providing secure, stable and nurturing homes for children who cannot be cared for by their birth parents.

Kinship carers **may** be eligible for the carer's leave provisions outlined in section 3, but only where they meet the definition of a carer as outlined in section 2, and can provide the required documentation.

The following provides clarity and detail pertaining specifically to kinship carers.

Types of Kinship Care

- **Formal** – relates to looked after children who have been placed with kinship carers by the local authority. These arrangements will have input from the social work team of the relevant local authority.
- **Informal** – relates to non-looked after children who live in an informal kinship care arrangement (these children may be subject to an order under Section 11 of the Children (Scotland) Act 1995 or may be living in a completely private arrangement with extended family with no local authority involvement).

While many kinship arrangements are expected to be permanent, or long-term, kinship can also apply to shorter periods. Usually kinship comes about when parents can no longer care for their child(ren). This is different from circumstances where relatives agree to temporarily look after children to allow parents to go on holiday or similar; as in these situations the parents remain "responsible" for their children.

Kinship Carer's Leave (Formal and Informal)

Kinship arrangements often happen unexpectedly, with the majority of kinship carers stepping in, in a time of crisis. This can mean that the kinship carer has little, if any time, to prepare and plan for this change. Additionally, the children they will care for will need to be supported through the change in their living arrangements.

An employee will be eligible for up to 2 weeks paid Kinship Carer's Leave if they are entering into a new (informal or formal) kinship carer arrangement, and they have the child/ren living with them or are preparing for them to live with them.

Kinship Carer's Leave can:

- start on the day the child/ren is/are placed with the employee (whether this is earlier or later than expected)
- on a date that is up to 14 days before the expected date of placement
- taken on or around the date that the kinship arrangement is entered into, or
- up to 3 months after, if there are reasons for doing so such as a child beginning primary school
- be taken as one block or in two separate weekly blocks, whichever is most supportive to the kinship carer and the child(ren)

Only one period of Kinship Carer's leave is available for a new kinship carer at time of the arrangement being entered into, irrespective of whether more than one child comes

to live with the employee as part of the same arrangement.

There is no qualifying service requirement to be eligible for Kinship Carer's Leave.

To request Kinship Carer's Leave, the employee must speak to their line manager as soon as possible and clarify how and when they intend to take the leave. Due to the nature of kinship, it is recognised that a request may be at very short notice, and the line manager should accommodate these accordingly. The employee should request the leave via the HR/Payroll system.

Where the employee seeks to take the leave at a date after the kinship arrangement has been entered into, and within the first 3 months, they should give at least 7 days' notice.

For kinship carer's leave to be approved the employee must provide evidence of the kinship arrangement. This will often be a letter from a social worker, but equally a letter from the headteacher of the school the children attend or their medical practice confirming the arrangement would be appropriate. Those undertaking informal kinship can also contact [Contact Us: Kinship, Adoption and Fostering | Aberdeen City Council](#) who will be able to support them in evidencing their kinship caring responsibilities.

Formal Kinship – Leave during the Assessment Process

If entering into a formal kinship carer arrangement, the employee will, in addition to the above leave, be entitled to attend up to 5 appointments during the assessment approval process, up to a maximum of 7 hours for each appointment. These appointments might be for meetings, home visits or training required by the local authority. This leave is not available to an employee if they are entering into an informal kinship carer arrangement as there will be no assessment process.

Evidence of formal kinship will be required to request any leave. Documentation that would be accepted includes:

- A copy of a legal order (though even if the kinship carer is applying for an order, court orders can take many months to obtain).
- A letter from a local authority social worker.
- Invitations to the specific meeting or appointment which the employee is required to attend.

To request leave the employee must speak to their line manager as soon as possible and clarify how and when they intend to take the leave. There must be at least 7 days' notice given before the leave can be approved. The employee should request the leave via the HR/Payroll system.

SECTION 5 – FOSTER CARER’S LEAVE

Foster Training Leave

The Council recognises that becoming a foster carer can be a long process, including attending training sessions, such as “skills to foster care”. “Skills to foster care” is delivered by/ on behalf of Aberdeen local authority; and other local authorities and fostering agencies will have similar stages.

Employees who have completed step 2 of [Aberdeen City Councils fostering process](#), or the equivalent stage at another organisation are eligible to up to 4 days paid leave to attend training

There is no qualifying service requirement to be eligible for Foster Training Leave.

An employee should inform their line manager at the earliest opportunity, providing atleast a minimum of 7 days’ notice that they would like to take leave. They will need to provide evidence such as a letter of invite to training. They should request the leave via the HR/Payroll system.

Unlike other types of carers leave covered in this guidance, foster carers receive a payment specific to the skills they provide in looking after the children under their care. Foster carers are not eligible for carer’s leave covered by this guidance, which is applicable only to unpaid carers.

Foster carers are able to access (unpaid) parental leave and further details can be found in the Family Leave Policy.

Leave during the Assessment Process

An employee will be entitled to attend up to 5 appointments during the assessment approval process, up to a maximum of 7 hours for each appointment. These appointments might be for assessment, meetings and/or home visits required by the local authority.

Evidence will be required to request any leave. Documentation that would be accepted includes:

- A letter from a local authority social worker, or agency who they are fostering from.
- Invitations to the specific meeting or appointment which the employee is required to attend.

To request leave, the employee must speak to their line manager as soon as possible and clarify how and when they intend to take the leave. There must be at least 7 days' notice given before the leave can be approved. The employee should request the leave via the HR/Payroll system.

SECTION 6: FURTHER INFORMATION AND SUPPORT

Various support provisions are available for carers in the workplace. These include:

Carer Passport

A carer passport is a record which helps carer's to be identified, recognised and supported in employment. The passport will be accessible to the employee and their line manager and it is advisable that the manager maintains regular contact with the employee to discuss their caring situation and the employee is encouraged to inform their manager of any changes or new challenges. Please refer to the carer passport for full details.

Carer's Peer Support Network

Working and caring for someone can be physically demanding and emotionally stressful. Many carers may feel unsupported, isolated and alone, sometimes talking to someone in a similar situation can help. The Carer's Peer Support Network is for employees who manage both work and caring responsibilities or support a family member or work colleague who has caring responsibilities. Through the network, working carers can share their experiences and find out more about the support available. Employees can join the Carer's - Employee Peer Support Network on Viva Engage.

Flexible Working

It may be beneficial for an employee with caring responsibilities to explore the use of a flexible working option. This could include hybrid working or adopting a different work pattern. Line managers should also be aware that the employee's working times may need to be amended at short notice if they are required to respond to an emergency in relation to their caring responsibilities. Further information on a range of flexible working options can be found in the [Flexible Working Policy](#) and [Flexible Working Guidance](#). Further to this, an employee who is a carer may also feel that reducing their contracted hours may benefit them and their dependant. This could be either on a permanent or temporary basis and line managers should consider any request for this from the employee, while taking into account the requirements of the service.

Converting Annual Leave into Hours

Where an employee's annual leave entitlement is currently calculated in days, consideration can be given to allowing the employee to convert annual leave into hours. This may be appropriate where an employee needs flexibility but due to the restraints of their caring responsibilities it is difficult for them to make up any lost time. This would allow them to use one or more hours of leave at a time, rather than full or half days.

Purchase of Additional Annual Leave

An employee with a caring responsibility may wish to consider the purchase of additional annual leave to assist them to achieve a better work-life balance. Under the annual leave salary sacrifice scheme, employees can apply to purchase additional annual leave, subject to service delivery.

There is a specific window at the end of the year, when additional annual leave can be purchased to be taken the following calendar year. Full details of the salary sacrifice scheme can be found on the intranet.

Other Leave Options

In addition to the specific carer's leave provisions, an employee may be eligible for other leave and wish to consider these, examples include time off for dependents/family emergencies, career break, compassionate leave, authorised unpaid leave. Please refer to the Family Leave Policy and Special Leave Policy for full details.

Timing and Location of Work related meetings and events

Where a line manager is aware of times that may or may not suit the employee due to their caring responsibilities, these should be considered where possible when arranging meetings, training or other work events. Additionally, it may be appropriate to review locations, and/or format of meetings to ensure it is made as easy as possible for those with caring responsibilities to attend. Many carers may find it difficult if they are required to travel out with their normal place of work.

Access to Mobile Phones

Where employees are not normally permitted to carry and use personal mobile phones during working hours, consideration should be given to allow those with caring responsibilities to carry and use (in relation to their caring role) their own mobile phones during working hours. This will enable the employee to be easily contactable in emergency situations relating to their dependant. In certain circumstances, employees who are carers may benefit from access to the Internet (for example to track the location of a dependant with dementia), so consideration should be given to smart phone or computer access for this where appropriate and practicable.

Support and advice

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.

Fostering and kinship support

ACC Children's social work service can be contacted for further information or advice at <https://www.aberdeencity.gov.uk/kinship-adoption-and-fostering-service>.

External Support

- [Carers Trust](#) Scotland-Carers Trust Scotland provides support and advice for carers and offers help in finding local support groups.
- [Carers UK](#) - Carers UK can provide help, support and guidance to carers whilst also connecting them with each other and providing details of local carer support groups.
- [Carers Support Centres](#) - Care Information Scotland will help identify a Carers Support Centre in your local authority which offers help, advice and guidance to carers.
- [Working Families](#) - Working Families helps parents and carers achieve work-life balance.
- [Shared Care Scotland](#) - Shared Care Scotland support unpaid carers and those they care for to have regular and meaningful breaks from their caring responsibilities, leading to improved health and overall wellbeing.
- [Age Scotland](#) - Age Scotland aim to improve the lives of people over the age of 50 in Scotland.
- [Carers Scotland](#) - Carers Scotland provide information and advice on caring, help carers connect with each other, campaign with carers for lasting change, and use innovation to improve services.
- [Fostering Network Scotland](#) - the essential network for fostering in Scotland offering a range of services, training and projects to support members.
- [Kinship Care](#) – advice and support for all kinship families and the practitioners who support them throughout Scotland

Related Policy and Guidance

- Family Leave Policy
- Special Leave Policy
- Flexible Working Policy
- Flexible Working Guidance
- Employee Assistance Programme
- Career Break Policy
- Corporate ICT Acceptable Use Policy
- Annual Leave Purchase Scheme
- Support Attendance and Wellbeing Policy

Further Advice

For advice and guidance on the application of this guidance please contact People Services - askhr@aberdeencity.gov.uk.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

SECTION 7: APPENDICES

Appendix 1 – Change of Carers Leave Dates

PERSONAL

(Employee Name)
(Address)

Dear (Employee Name)

CARER'S LEAVE

I acknowledge receipt of your Carer's Leave request received on (X) date requesting leave from your post of (*job title*) within (*Cluster/Function*).

Unfortunately, the dates selected would cause serious service disruption due to (*include details*) therefore we are unable to approve your Carer's Leave request. You are entitled to the leave and we would request that you look at suitable alternative dates to take your leave within the next 28 days.

You will receive your salary and other conditions of service as normal whilst you are on Carer's Leave.

Yours sincerely

Name
Job Title
cc AskHR

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Carer Passport



INTRODUCTION

A Carer Passport is a record which helps carers to be identified, recognised and supported in their employment. The passport allows the employee to explain their circumstances in their own words, the challenges they experience, and any help they may require in the workplace. It provides the opportunity to share information about their caring responsibilities including kinship and fostering, and to record any actions or adjustments agreed between the employee and their line manager.

Some employees may be reluctant to identify themselves as a carer, and may be concerned it could lead to them being labelled. Having a passport can help to create a supportive working culture where the employee feels that they can discuss their circumstances in a safe environment. It can also help communicate existing workplace support for carers and encourage managers to apply policies more consistently across the organisation.

Line managers have a key role in creating and promoting a carer friendly culture, through developing an open and respectful relationship, and maintaining ongoing dialogue with the employee about their caring circumstances and any resulting changes. The employee can then maintain their caring responsibilities alongside their work commitments resulting in minimal impact for them and the organisation.

Line managers and employees can refer to the Supporting Carers at Work Guidance for further information on the support available.

CONFIDENTIALITY

The information provided in the passport is confidential between the employee, their line manager, and People Services, where applicable. It should not be shared with anyone else without prior written consent of the employee.

The employee and line manager both hold a copy, and a copy is held on the HR/Payroll system.

USING THE CARER PASSPORT

Who is a Carer?

Working Carer

A working carer is someone who is managing both paid work and unpaid caring responsibilities. These employees are responsible for the care and support of a relative or friend who is older, disabled, seriously ill (physically or mentally) and unable to care for themselves. This does not include individuals who are employed as a paid professional carer or whose caring role relates solely to a child or children who do not have a long-term illness or disability.

Kinship Carer

Kinship carers are family or friends who step up, often during an unexpected crisis, to care for a child when their birth parents are unable to. This may be because the parent has died, is unwell, has gone to prison, is experiencing problems with drugs and alcohol, or are neglectful or abusive. Kinship carers are usually grandparents, aunts or uncles, brothers or sisters, a step parent, step sibling, or someone who isn't related but know the child(ren) well.

Foster Carer

A Foster carer takes care of a 'looked after' child when they cannot stay in their own home or with a kinship carer. A child is 'looked after' when the local council has a legal responsibility for their wellbeing.

Who owns the passport?

The employee owns their Carer Passport and the information recorded within it, including the amount of personal information given. The passport is a 'living document' which can be reviewed and amended if the employee's caring responsibilities and the impact these have on them changes. The Passport arrangements are usually reviewed on a regular basis (eg. through 1:1 meetings with the line manager).

Aspects of caring are highly personal, and an employee should not need to disclose detailed information about their caring role if they do not wish to. Any information held under the scheme will relate to the carer, and no identifying information about the cared for person will be stored.

The passport also 'stays with' the employee so that, even if they move teams/service or their role changes, it remains in place. The employee is encouraged to inform a new line manager about their passport, their caring responsibilities and any arrangements that have been agreed. This ensures the new manager is promptly aware of the employee's situation, removes the need for repeated explanations, and allows support to be offered from the outset of the working relationship, including any changes to support provisions previously agreed.

Preparing for the conversation

The following may be helpful for the employee, in advance of meeting with their line manager, to guide them in preparing and giving consideration to their caring and work responsibilities, and what support may be helpful and any key points they would like to discuss at the meeting:

1. Thinking about your caring role and how it affects your work

- What are your caring responsibilities?
- How does this affect your work?
- What impact does work have on your caring responsibilities?
- How do you expect your caring role (and its impact) could change in future?

2. Finding out about potential options

- Do you know what support is currently offered in the organisation?
- Do you know about the Council's flexible working policies?
- Are you aware of your right to request flexible working? You may decide to make a request or keep the conversation to informally agreed arrangements.

3. Getting support

- Do you already receive any support in work to help combine caring with work?
- What additional support would help you?
- How can the needs of the team/Service continue to be met?
- Is there support you could get outside of work?
- Would information and advice about support make a difference?

4. Note any other questions or issues

Having the conversation

The passport can be completed by the employee prior to meeting with their manager, or can be completed jointly during their conversation. The passport can be uploaded to the HR/Payroll System by the employee or the manager on their behalf.

CARER PASSPORT

EMPLOYEE DETAILS

Name of Employee:	
Payroll Number:	
Job Title:	
Name of line manager:	
Function:	
Cluster:	
Team:	

Are you a registered working carer?* Yes No

Are you a kinship carer?** Yes No

Are you a foster carer?*** Yes No

*For approval for paid leave to be granted evidence provided from either a GP or other Health Care professional or your local carers centre or social work department is required to be shared with your line manager.

**For approval for paid leave to be granted, evidence such as a letter from a social worker, headteacher or medical practice confirming the arrangement is required to be shared with your line manager.

***For approval for paid leave to be granted evidence such as a letter of invite to training is required to be shared with your line manager.

Caring and work: provide an overview to describe your caring responsibilities and the impact this has on your working life

Notes:

Support Required: provide details of the support you require to enable you to fulfil your work and caring responsibilities e.g. Hybrid Working on a specific day due to needing to attend medical appointments

Notes:

Any other considerations:

Notes:

Next Steps: Confirmation of plan agreed between employee and line manager

Notes:

EMPLOYEE CONSENT

The information provided in the Passport is confidential between the employee, their line manager, and People Services, where applicable. It should not be shared with anyone else without prior written consent of the employee.

A copy of the passport will be uploaded to and held on the employee's personal profile.

I consent to my line manager / People Services holding a copy of this record:

Employee Signature:		Date:	
Line Manager Signature:		Date:	
Date of Review:			

REVIEW

The Passport should be reviewed on a regular basis after the initial discussion to ensure the plan remains appropriate to support the employee's caring responsibilities. Employees should discuss changes in their caring responsibilities at the earliest opportunity so that a review can be arranged.

Once the review has been undertaken, this should be uploaded to the HR/Payroll System with the revised date saved in the document name, so it is clear which is the most up to date form.

Review Agreed Date:	
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Parental Bereavement Leave Guidance



Document Control

Approval Date	TBC
Implementation Date	TBC
Guidance Version	3
Author(s)	Kirsty George, People & Organisational Development Advisor Linsey Blackhurst – Interim Organisational Change & Design Lead
Owner	Isla Newcombe, Chief Officer – People & Citizen Services
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Changes	
January 2023 Version 2	<ul style="list-style-type: none"> A note to the users of the guidance was added at the beginning of the document to prepare them for the fact that the document refers to bereavement but indicating that this relates to the statutory process for administering Parental Bereavement Leave and Pay. A similar note was added to Appendix 1, the Application for Parental Bereavement Leave and Pay, to prepare the user in advance that the form asks some necessary sensitive questions about bereavement.
Feb 2026 Version 3	<ul style="list-style-type: none"> Updated into standard guidance template ensuring compliance with ACAS, CIPD and government guidance. Parental bereavement leave and pay extended to cover pregnancy loss occurring before 24 weeks. Updated Introduction section to ensure clarity on purpose, application and scope, and responsibilities. Language reviewed to ensure inclusive. Streamlining of the application process, with removal of formal acknowledgement letters given the sensitivities. New Further information and support section.

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SECTION 1: INTRODUCTION

Note to the users of this guidance – please read before proceeding

This guidance and its forms contain references to bereavement and include sensitive questions. We understand this may be difficult, but collecting this information helps to provide the right support and ensure the statutory process for Parental Bereavement Leave and Pay is followed.

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on Parental Bereavement Leave, including details on the available provisions, any eligibility criteria, application requirements and support options.

Core to this guidance is that no employee will be adversely treated in the workplace due to them experiencing parental bereavement, regardless of if they access leave or other supports detailed in this guidance.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Special Leave Policy

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

It does not apply to other workers, such as casual/relief workers, self-employed, contractors or agency workers. Workers should check the government website to see if they may be eligible for [Statutory Parental Bereavement Pay](#).

This guidance takes into account The Parental Bereavement (Leave and Pay) Act 2018 that came into force on 6 April 2020.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request parental bereavement leave. This should include sharing details of our [Employee Assistance Programme](#) and [Mental Health and Wellbeing Support](#) and encouraging employees to access the support offered.

Managers must be mindful that each employee's loss and related experience will be different, and the nature and level of support required, including the level of contact will vary accordingly, and they should be guided by the employee's needs at this difficult time.

It is important for managers to approach a conversation with an employee experiencing the loss of a pregnancy/child with empathy and be sensitive to how difficult it may be for the employee to open up.

Managers will consider all requests for support sympathetically and will not discriminate against an employee who is experiencing the loss of a pregnancy/child. All employees will be treated fairly and consistently.

Managers will treat all information and requests for support from an employee experiencing the loss of pregnancy/child with respect and confidentiality.

Managers will support the employee in informing colleagues about the situation if appropriate and as agreed.

Responsibility of Employees

The council acknowledges that parental bereavement can impact those experiencing it in different ways, including placing mental, emotional and physical strains on an individual.

To allow managers, or others, to put in place appropriate support, employees are encouraged to inform their manager of their loss as early as possible. Initial contact to advise of the situation can be made by a close family member or other appropriate person.

Employees who do not initially feel comfortable discussing the issue with their direct line manager may find it helpful to have a confidential conversation with a suitable alternative contact.

SECTION 2: PARENTAL BEREAVEMENT LEAVE

Parental Bereavement Leave (PBL)

The Parental Bereavement (Leave and Pay) Act 2018 came into force on 6 April 2020 giving employees a statutory entitlement to a period of one or two weeks' leave that may be taken following the death of a child. A child is regarded as being under 18 years of age, including a baby who only lives for a short time after birth – this can be at any stage of pregnancy, or a baby that is still born after at least 24 weeks of pregnancy. In the case of a still birth, the date of death is taken to be the date the child is stillborn.

The Council extends this entitlement for parental bereavement leave to also cover pregnancy loss which occurs before 24 weeks, including:

- Miscarriage: the loss of a pregnancy before 24 weeks
- Abortion: a medical or surgical procedure to end a pregnancy.
- Ectopic pregnancy: when a fertilised egg implants and grows outside of the uterus.
- Molar pregnancy: a rare form of pregnancy in which a non-viable fertilised egg implants in the uterus and will fail to reach full term.
- IVF embryo transfer loss: the unsuccessful outcome of transferring a fertilised embryo into the uterus during IVF treatment.

Where more than one child has died or been still born, the bereaved parent is entitled to a separate period of leave in relation to each child.

Further discretionary leave may be available in addition to parental bereavement leave. Please see the Council's Special Leave Policy.

Eligibility for Parental Bereavement Leave

There is no qualifying period for PBL, it being a day one employment right.

PBL is only available to employees. It is not available to other workers, such as casual/relief workers, self-employed, contractors or agency workers.

The right to PBL applies to the:

- birth parent
- spouse, civil partner, or partner (who is in a committed long term relationship) with the person who physically experienced the pregnancy loss
- natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the

child)

- adoptive parent, if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy
- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

Duration of and when to take Parental Bereavement Leave

Parental Bereavement leave may be taken as one whole week, two consecutive weeks, or two separate weeks at different times.

The leave can be taken at any time within 56 weeks following the pregnancy loss, stillbirth or death of a child. An employee may choose to use PBL to mark the first anniversary/birthday of the pregnancy loss, still birth or death of their child.

If the employee is taking another type of statutory leave (for example, maternity leave or paternity leave) when the child dies or stillbirth happens, their Parental Bereavement Leave must start after the other leave has ended but does not have to be taken immediately after. This includes if the statutory leave is for another child.

If their Parental Bereavement Leave is interrupted by the start of another type of statutory leave, the employee can take their remaining entitlement to Parental Bereavement Leave after that other leave has ended.

The employee's remaining Parental Bereavement Leave must still be taken within 56 weeks of the date of death or stillbirth.

Employees can take Parental Bereavement Leave between blocks of shared parental leave that they booked before the child died. This includes if the shared parental leave is for another child.

Parental Bereavement Leave Pay

The council offers employees normal contractual pay for both weeks of Parental Bereavement Leave.

Notification to take Parental Bereavement Leave

The employee requires to give their line manager notification of:

- the date of the child's death;
- the date they want their leave to start; and
- whether they want to take one or two weeks.

The length of notice the employee is required to give depends on how long after the child's death the leave is due to start:

- For PBL starting within 8 weeks (56 days) from the date of the death the notice period is minimal, the employee can start their leave as soon as they give notice. The employee should notify their line manager before the time they are due to start work on the day they want leave to start. If this is not practicable, the employee must notify their employer as soon as reasonably practicable.
- To take leave more than 8 weeks (56 days) after the child's death, i.e. in weeks 8 to 56 after the child's death, the employee must give at least 7 days' notice of their intention to take PBL.

The employee, or their nominated representative, can notify their line manager by phone, leave a voicemail, send a text message or an email. The employee does not need to give notice in writing (for example through a form or letter) or give proof of pregnancy loss or death or stillbirth.

Process for applying for and authorising Parental Bereavement Leave

The employee, or line manager on the employee's behalf, will complete and submit an application for PBL and pay (see form at appendix 1). This will indicate the date the employee wishes their PBL and pay to begin, the duration of the leave (i.e. 1 or 2 weeks), the date of pregnancy loss or death of the child, or date the baby was stillborn, whichever applies, and their relationship to the child or baby.

Where the leave and pay are to commence within the first 8 weeks from the date of death, the form can be submitted within 21 days.

If the employee completes the form, they should submit this to their line manager first who will review to confirm that it complies with the guidance. They will then pass the completed form to People Services for processing, who will acknowledge receipt. People Services will check the details on the form, including the pay entitlement and arrange for the PBL and pay to be processed.

Where the employee wishes to change the start date of PBL and pay they should inform their line manager, giving the required notice in accordance with this guidance. The line manager will notify People Services for processing.

Where the employee wishes to cancel a period of PBL and pay they should inform their line manager, giving the required notice in accordance with this guidance. The line manager will notify People Services.

Any queries the employee has in relation to their application for PBL should be raised in the first instance with their line manager.

Cancelling or changing a period of Paternity Bereavement Leave

The employee can cancel PBL or change the start date, as follows.

For leave that is due to start within the first 8 weeks after the child's death, this can be

cancelled by giving notice before the time the employee is due to start work on the day they previously notified that leave would start. If this is not practicable, the employee requires to notify their employer as soon as reasonably practicable.

For leave that is due to start more than 8 weeks 8 (56 days) after the child's death, the employee can cancel it by giving notice at least 1 week's notice before the day the leave was due to start.

If the employee wants to change the start date of their leave rather than cancel it, again, they require giving notice as detailed in the two paragraphs above.

A period of leave cannot be cancelled once it has started.

Contractual terms during Parental Bereavement Leave

During PBL, the employee is entitled to the benefit of all their terms and conditions of employment. Continuity of service will be maintained, and the period of leave will count towards the employee's length of service.

For those employees in the pension scheme, pension contributions will continue to be payable during the period of PBL on the pay the employee receives, with pension service counted as normal.

Employment rights during Paternity Bereavement Leave

In most cases the employee will have the right to return to the job in which they were employed before the period of leave.

However, the right differs where the PBL is taken consecutively with a period of Parental Leave of more than 4 weeks or other statutory family related leave e.g. maternity or adoption leave, taken in relation to the same child, where the total amount of statutory leave taken in relation to that child is more than 26 weeks. In such cases the employee's right is to return to the same job or, if that is not reasonably practicable, to another job which is suitable and appropriate for the employee to do in the circumstances.

In either case the employee's status, pension and similar rights will be the same as they would have been if the employee had not been absent, and their terms and conditions will not be less favourable than those which would have applied if the employee had not been absent.

Employment protection during Parental Bereavement Leave

A dismissal will be automatically unfair if the reason or principal reason is connected to the fact the employee took, sought to take or made use of the parental bereavement leave provision, or that their employer believed that the employee was likely to take PBL.

SECTION 3: FURTHER INFORMATION AND SUPPORT

Maternity, adoption and paternity leave

In addition to Parental Bereavement Leave, an employee may still be eligible for maternity leave, adoption leave and paternity leave if they meet the qualifying conditions. Please refer to the Maternity Guidance, Adoption Guidance and Paternity Guidance for full details.

Pregnancy loss in the workplace

A pregnancy loss may happen at work. Managers may not be aware that an employee is pregnant - they are not obliged to tell their line manager of pregnancy until 15 weeks before the estimated due date, or as soon as is reasonably practicable after then (approximately 6 months pregnant). Likewise, the employee themselves may not yet be aware of the pregnancy, particularly during the early stages.

If the employee suspects that they have started to lose their baby they may have bleeding, severe abdominal pain, and may be faint or collapse. The employee may be very distressed and panicked, embarrassed and frightened.

Managers can help by ensuring that the employee has very quick access to a toilet, and if required, calling their preferred contact or colleague to assist in getting them home or to hospital or a first aid room. In severe cases, you may need to call an ambulance.

If the birth mother's partner, relative or close friend is told of the loss while at work, they may need to leave at short notice to provide practical and emotional support.

Protection for time off after a miscarriage

If a miscarriage happens in the first 24 weeks of pregnancy, any sickness absence the birth mother needs to take is likely to be considered a 'pregnancy-related illness'.

'Pregnancy and maternity' is a 'protected characteristic' under the Equality Act 2010. If an employee is put at a disadvantage and treated unfavourably because of a pregnancy-related illness or related time off this could be discrimination.

Any sickness absence that is pregnancy-related should be recorded as such on the HR/Payroll system and managed as a pregnancy-related absence in line with the [Supporting Attendance and Wellbeing policy](#).

Returning to work after leave

It is recognised that it might be daunting for an employee, or a welcome return to routine for others, returning to work after a pregnancy loss, still birth or death of a child. An employee may feel anxious about how they'll manage, how others may respond or what they'll say to colleagues about what has happened.

In certain circumstances, a full return to work may not be possible for an employee, for example where the employee's grief is likely to impact on the ability to perform their role.

To support a return to work, managers will offer a return to work meeting to:

- Check how the employee is feeling and whether they're ready to return to work
- Discuss whether the employee needs any temporary adjustments put in place to support them, with consideration to the Council's [Flexible Working Policy](#)
- Encourage the employee to speak to their GP for support, if they haven't already
- Discuss whether a referral to occupational health would be helpful

An employee who is concerned about the grieving process impacting on their work performance and/or their ability to conduct their duties safely in the weeks following a bereavement should discuss this with their line manager. This will enable the necessary support to be put in place.

Support and advice

Parental bereavement leave is intended to support employees in the immediate period around a pregnancy loss, still birth or death of a child, or later, however, the process of grief, the natural reaction and adjustment to loss and change may take a significant time and will be personal to each employee. The following may be of support during this time:

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the council's mental health first aiders network.
- [Financial Wellbeing](#) – Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.

External Support

External sources of support include, but are not limited to:

- Cruse Bereavement Care
- Child Bereavement UK
- Child Bereavement Network
- Lullaby Trust
- National Bereavement Alliance
- Petals
- Ectopic Pregnancy Trust

- [Miscarriage Association](#) - provide support and information to anyone affected by the loss of a baby in pregnancy and to raise awareness.
- [Sands](#) – offer support for all types of pregnancy and baby loss as well as specific support for the partner.
- [Tommy's](#) – pregnancy charity funding pioneering research to understand why pregnancy goes wrong. Tommy's provides expert, midwife led advice for parents before, during and after pregnancy

Related policy and guidance

- Family Leave Policy
- Maternity Leave Guidance
- Paternity Leave Guidance
- Adoption Leave Guidance
- Flexible Working Policy
- Career Break Policy
- Parental Leave Guidance
- Supporting Attendance & Wellbeing Policy

Further Advice

For further advice and guidance on the application of this guidance please contact [People Services](#).

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

SECTION 4: APPENDICES

Appendix 1 - Application for Parental Bereavement Leave and Pay

(Note to the user: While the employee directly impacted by the loss can complete the following form(s); where it is appropriate managers can do so on their behalf.

In order to ensure any requests are progressed accurately the form includes sensitive questions. It is recognised that this may be difficult, but collecting this information ensures the process for Parental Bereavement Leave and Pay is applied correctly.

Please read the accompanying guidance before completing this application.

ABOUT YOU (please select which applies)

I am the employee requesting leave

I am the line manager completing this form on behalf of the employee requesting leave

EMPLOYEE DETAILS

Name

Job Title

Line Managers Name

RELATIONSHIP TO BABY/CHILD (please select which applies)

Childs parent

Adoptive parent

Prospective adopter

Intended parent under a surrogacy arrangement

Parent 'in fact' (see guidance for definition)

Partner of any of the above

Other relationship to the child (please state)

LEAVE/PAY DATES

I wish / employee wishes to apply for leave and pay for a period of (tick one box)

1 week
2 weeks

I wish / employee wishes to take Parental Bereavement Leave on the following

<p>dates (please note that the leave may be taken as one whole week, two consecutive weeks or two separate weeks at different times. A separate form could be completed for the second week, if taken at a later time)</p>	
Week One	
Week Two	

The following question is asked to inform line managers of when a particularly difficult period may be approaching for the employee:

The date of loss was (where it is not possible to give a specific date, please provide the date when you first knew of the loss) _____

Declaration and signature (delete as applicable)

I declare that I am applying for Leave and Pay in accordance with the accompanying guidance. / I declare that I am applying for Leave and Pay in accordance with the accompanying guidance on behalf of the employee named above and confirm that this request has been agreed with them.

Signature:

Date:

Once completed, this form should be submitted to the line manager / People Services as appropriate.

Shared Parental Leave Guidance

Document Control

Approval Date	
Implementation Date	
Guidance Version	3
Author(s) and Owner	Gaynor McKechnie, People & Organisational Development Advisor Luci Camilli, People & Organisational Development Advisor
Owner	Isla Newcombe, Chief Officer People & Citizens Services
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June 2024 Version 2	<ul style="list-style-type: none">Updated into standard guidance template and language reviewed to ensure inclusive.
Feb 2026 Version 3	<ul style="list-style-type: none">Content simplified with the removal of information that may be subject to frequent change with reference and sign posting to specific information and shared parental planning tools on the Government website.Updated introduction section to ensure clarity on purpose, application and scope, and responsibilities.Option to take paternity leave after shared parental leaveNew Further Information and Support section.

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SECTION 1: INTRODUCTION

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on Shared Parental Leave (SPL), including details on the available provisions, any eligibility criteria, application requirements and support options.

Core to this guidance is that no employee will be adversely treated in the workplace due to taking shared parental leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request shared parental leave.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take shared parental leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

Employees should ensure that they meet any criteria required before requesting Shared Parental Leave or Statutory Shared Parental Pay.

SECTION 2: SHARED PARENTAL LEAVE (SPL) AND STATUTORY SHARED PARENTAL PAY (ShPP)

What is Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP)

Shared Parental Leave (SPL) allows the mother/birth parent to end maternity leave/pay early so that they and their partner can take leave in a more flexible way during their baby's first year. The mother/birth parent can choose to share a portion of their maternity leave with their partner to care for children from birth until their first birthday. Parents can take time off at the same time or separately.

Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP) may also apply to parents who are:

- using a surrogate to have a baby
- adopting a child
- fostering a child who they are planning to adopt

This guidance details how SPL/ShPP applies to maternity, surrogacy, adoption and fostering with a plan to adopt.

Eligibility for Shared Parental Leave and Pay

To be eligible for Shared Parental Leave and Pay, the following provisions / criteria apply:

- Any shared parental leave or pay only applies to the first year after the child is born or placed with the family.
- SPL can be taken:
 - All in one go; or
 - In blocks, with periods of work in between; or
 - In blocks, with other periods of absence in between (such as annual leave); or
 - a mix of the above options.
- Once shared parental leave has started it is not possible to return to another leave process such as maternity or adoption leave.
- The mother/birth parent/adopting parent/surrogate parent can share up to 50 weeks of leave and up to 37 weeks of pay with their partner. The mother/birth parent is required to take the first 2 weeks after the birth of the baby as maternity leave.

SPL is only available to employees who meet the required criteria above.

Parents eligible for shared parental leave can decide how they want to use the leave and pay available to them. When deciding if Shared Parental Leave is beneficial to them, parents may wish to consider:

- Are there dates they need to be absent from work?

- Are there any work projects or events coming up they want to be involved with?
- What are their childcare options and availability?
- How their work will be covered while they're off?
- Do they want to use the time to be off together with their child, separately, or a mix?

An employee is **not eligible** for Shared Parental Leave if they started sharing responsibility for the child after it was born.

To establish if eligible for SPL and ShPP, the employee will need to know:

- the child's due date or birth date
- theirs and their partner's employment status and earnings
- if they and their partner can get Statutory Maternity Pay or Statutory Paternity Pay

The Government's shared parental leave / shared parental pay [planning tool](#) can be used by employees to confirm if they are eligible; and how these could be arranged to suit their specific circumstances.

The above tool uses a Monday as the start for each calculation, however if maternity leave begins on another day of the week this will be reflected in the arrangements for an employee accessing SPL/ShPP, when processed by People Services.

Please see the [Shared Parental Pay and Leave](#) guidance on the government website for further information.

Shared Parental Leave Pay

Shared Parental Pay is paid at the rate of statutory pay or 90% of average weekly earnings, whichever is lower.

Please see the [Shared Parental Leave and Pay](#) on the government website for further information on statutory pay.

Starting Shared Parental Leave or Shared Parental Pay

An employee can only start Shared Parental Leave or Shared Parental Pay once the child has been born or placed with the family for adoption.

For SPL to start the mother / birth parent must either:

- return to work, which ends any maternity or adoption leave
Or
- Give 'binding notice' of the date when they plan to end their (maternity/ adoption) leave (you cannot normally change the date you give in binding notice)

Please note, the Council provides for Paternity Leave to be taken after shared parental leave.

Please see the [Shared Parental Leave and Pay](#) information on the government website for further information along with information on changing the decision to end maternity or adoption leave.

Booking blocks of leave

Parents can book up to 3 separate blocks of Shared Parental Leave (SPL) instead of taking it all in one go, even if they are not sharing the leave with their partner.

If the partner/other parent is also eligible for SPL, they can also take up to 3 blocks of leave. This leave can be taken at different times or both at the same time.

Requests for more than 3 blocks of leave can be made; however, these will only be approved where service delivery allows. Such requests must be for at least a week.

Employees must tell their manager about any plans for leave when they apply for SPL. While these plans can be changed later, managers will need at least 8 weeks notice prior to a block of leave starting.

Shared Parental Leave in touch (SPLIT) days

The mother / birth parent /adoptive parent and their partner can each work up to 20 days while taking SPL. These are called 'Shared Parental Leave in touch' (or SPLIT) days.

These days are in addition to the 10 'keeping in touch' (or KIT) days available during maternity leave.

KIT and SPLIT days are not mandatory, and employees do not have to use these, however they can be useful opportunities to attend training courses, catch up on what is happening at work or contribute to an area of work.

When an employee wishes to use KIT / SPLIT days they must discuss and agree this with their manager. Managers should actively seek out appropriate events and activities to make best use of these days.

Please see the [Shared Parental Leave and Pay](#) guidance on the government website for further information on booking blocks of leave and SPLIT Days.

Applying for Shared Parental Leave and Shared Parental Pay

Shared Parental Leave forms and templates created by [ACAS](#) are currently used for:

- employees to give notice that they plan to take SPL and ShPP

- for giving notice of when the mother/birth parent/adoptive parent/surrogate parent is going to end their maternity/ adoption leave, and when they intend to stop maternity/adoption pay
- for booking any leave dates (as well as confirming dates when the employee intends to be in work, taking annual leave, or other arrangements)

It is important to include all the required information, otherwise this may affect the SPL or ShPP.

The Council can ask an employee for more information within 14 days of them applying for SPL or ShPP.

An employee may be asked for:

- a copy of the birth certificate
- a declaration of the place and date of birth (if the birth has not been registered yet)
- the name and address of their partner's employer or a declaration that their partner has no employer

An employee must provide this information within 14 days of being asked for it.

SECTION 3: FURTHER INFORMATION AND SUPPORT

Flexible working arrangements

If an employee would like to return to work on a flexible working basis (e.g. part time hours), they should make an application on the standard form, in accordance with the Flexible Working Guidance, to their line manager as far in advance of their planned return date as possible. This will allow the service sufficient time to consider their request and to make the necessary arrangements. The application should include details of the hours/days the employee would wish to work and should suggest how their flexible working arrangement could operate in practice.

Please see the Council's [Flexible Working Policy](#) and [Flexible Working Guidance](#) for further information.

Career Break

A career break may be taken immediately after a period of maternity, adoption or shared parental leave where the employee meets the qualifying criteria. The employee will be required to take any annual leave accrued during the maternity, adoption or shared parental leave period immediately prior to commencing the career break. The career break will thereby commence on the date immediately following any such period of annual leave, where so requested.

If the employee has received the 12 weeks maternity/adoption pay at 50% of their pay and fails to return to work for at least three months at the end of the maternity, adoption, shared parental leave or at the end of the career break which follows immediately after, they will be required to pay back the 12 weeks at 50% of normal pay. For further information please see the Council's [Career Break Policy](#).

Breastfeeding

Employees who are breastfeeding and returning to work should inform their line manager giving appropriate notice before returning so that arrangements and facilities for breastfeeding or expressing milk can be identified and put in place. A suitable private location should be identified, with it not being appropriate to use toilets for this purpose. Employees can also request reasonable time off during working hours to breastfeed their baby (depending on the location), or to express milk. The line manager will consider the request and normally grant this, assuming the time off is reasonable. The employee could also consider using flexible hours for this purpose.

There are dedicated rest rooms available to book at Marischal College and the Town House (i.e. First Aid-Parent Rooms) for breastfeeding employees. This is done through the normal electronic room booking system (please note that medical

emergencies would take priority over any booked time). Rest areas will be identified at other Council sites as required.

Annual leave and public holidays accrued during leave

Employees continue to accrue annual leave and public holidays when on leave. Annual leave and public holiday entitlement will be calculated and employees will be able to take the accrued annual leave.

The line manager and employee should discuss when leave can be taken in line with operational requirements of the Service

Support and advice

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.
- [Tax-Free Childcare](#) - Employees who wish to find out more about joining a Childcare Scheme can look into the Government's Tax-Free Childcare (TFCC).

Related policy and guidance

- Family Leave Policy
- Maternity Leave Guidance
- Paternity Leave Guidance
- Adoption Leave Guidance
- [Flexible Working Policy](#)
- [Flexible Working Guidance](#)
- [Career Break Policy](#)
- Risk Assessment Guidance

- The Family Leave Planning Toolkit
- [Support Attendance and Wellbeing Policy](#)
- Special Leave Policy

Further Advice

For advice and guidance on the application of this guidance please contact People Services - askhr@aberdeencity.gov.uk.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

Neonatal Care Leave and Pay Guidance



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SECTION 1: INTRODUCTION

Purpose of the Guidance

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on neonatal care leave and pay, including details on the available provisions, any eligibility criteria, application requirements and support options.

Neonatal care leave is in addition to existing parental leave provisions namely; maternity, adoption, paternity, shared parental, parental and parental bereavement leave, collectively known as 'family leave' and aims to provide additional support to parents when their newborn requires specialised care.

The guidance will also assist managers in effectively applying the provisions and supporting their employees.

Core to this guidance is that no employee will be adversely treated in the workplace due to taking neonatal care leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

The Neonatal Care (Leave and Pay) Act 2023, launched on 6 April 2025, introduced a dedicated entitlement to neonatal care leave and pay, ensuring employees meet the

eligibility criteria. The right applies to employees where they have a baby or babies born on or after 6th April 2025.

Employees who have a baby that meets the definition of neonatal care in section 2 will be eligible to request Neonatal Care Leave (NCL).

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request neonatal care leave. This includes sharing details of our [Employee Assistance Programme](#) and [Mental Health and Wellbeing Support](#).

It is important for managers to approach a conversation with an employee regarding neonatal care and leave with empathy and be sensitive to how difficult it may be for the employee to open up, and talk about their current circumstances. Experiencing your baby receiving neonatal care can impact individuals differently.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to take neonatal care leave. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

SECTION 2: ABOUT NEONATAL CARE LEAVE

What is Neonatal Care?

Neonatal care means:

1. Medical care received in a hospital (which includes a maternity home, as well as clinics and outpatient departments).
2. Medical care received in any other place following discharge from hospital (provided that the care is under the direction of a consultant and includes ongoing monitoring by / visits from healthcare professionals arranged by that hospital).
3. Palliative or end of life care.

Babies may receive neonatal care for a number of reasons including when they are;

- born early (premature)
- very small and have a low birthweight
- have an infection
- have jaundice
- had a very difficult birth
- waiting for or are recovering from complex surgery.

Babies who are part of a twin or multiple pregnancy are more likely to require neonatal care after birth.

What is Neonatal Care Leave?

Neonatal care leave (NCL) is a leave entitlement available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth. Each parent is entitled to a maximum of 12 weeks leave, which is in addition to other statutory parental leave and pay entitlements.

NCL allows parents to extend their time off with their baby either whilst they are receiving care within neonatal and/or with their baby at home when they are out of hospital.

NCL must be taken separately from other statutory leave. It is provided in addition to other types of family leave as mentioned in the Family Leave Policy.

Who is entitled to Neonatal Care Leave?

Neonatal care leave applies to all employees of the Council, irrespective of hours of work and length of service.

The entitlement to neonatal care leave is available for employees who at the date of birth are:

- the parent of the baby, or
- an intended parent of the baby (under a surrogacy arrangement) or
- the partner of the baby's mother, and
- have or expect to have responsibility for the upbringing of the baby and
- intend to take the leave to care for the baby.

In the case of adoption, neonatal care leave is available for employees who are:

- the baby's adopter,
- the baby's overseas adopter,
- the baby's prospective adopter,
- the partner of the baby's adopter or prospective adopter at the time the baby is placed with the adopter or prospective adopter, and has or expects to have the main responsibility (apart from any responsibility of their partner) for the upbringing of the baby, or
- the partner of the baby's overseas adopter and at the time of the baby's entry into Great Britain, has or expects to have the main responsibility (apart from any responsibility of the partner) for the upbringing of the baby.

Partner is defined as a person (regardless of sex, or how they identify) who lives with the baby's mother, adopter, prospective adopter or overseas adopter, in an enduring family relationship but is not a close relative e.g. parent, grandparent, sibling, aunt, uncle, niece or nephew.

How many weeks Neonatal Care Leave can be taken?

Neonatal care leave entitles eligible parents to up to a maximum of 12 weeks of leave, with 1 week leave for every 7 consecutive days that the baby receives neonatal care.

This leave is in addition to other statutory leave entitlements such as maternity, paternity, and adoption leave.

In the event that a baby is admitted to neonatal care (for a period of at least 7 consecutive days), discharged, and then readmitted to neonatal care (for a period of at least 7 consecutive days), providing that the second admittance occurs within 28 days of birth, both instances will count towards NCL.

An employee is entitled to only one allowance of neonatal care leave per pregnancy. If an employee has multiple births (e.g. twins or triplets), the entitlement to neonatal care leave is the same as if there was only one baby (a maximum of 12 weeks leave).

Both parents can take neonatal care leave simultaneously if they both meet the eligibility criteria and choose to do so.

Is Neonatal Care Leave paid?

Neonatal care leave will be paid at the statutory rate for a week's pay up to a maximum of 12 weeks. In order to qualify for Statutory Neonatal Care Pay (SNCP), entitlement will depend on length of continuous service and how much the employee earns. As with other forms of paid parental leave, an employee will be required to have 26 weeks service by the end of the 15th week before the expected birth.

To qualify for SNCP continuous service means, continuous service with Aberdeen City Council or a public authority as listed in the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Orders (which covers local authorities and related bodies), or any other body recognised by the Council for continuous service.

SECTION 3: TAKING NEONATAL CARE LEAVE

When can Neonatal Care Leave be taken?

NCL must be taken within the first 68 weeks from the baby's birth, and exactly when may depend on other family leave already being taken, such as maternity, adoption, paternity.

Neonatal care leave is described within the legislation as Tier 1 or Tier 2 -

Tier 1 (during neonatal care)

- The tier 1 period is the period during which the baby is receiving neonatal care or during the week following the end of neonatal care.
- In this period, employees do not have to give notice of leave in writing. Contact should be made with the line manager as soon as practicably possible and contact maintained during the period. NCL taken during the tier 1 period, will often be taken in unforeseen and/or emergency circumstances.
- NCL cannot be taken for the first week that a child is in neonatal care. It can be taken as consecutive or non-consecutive weeks. Any remaining entitlement to NCL may be taken in the tier 2 period.
- Generally, NCL is only likely to be taken in the tier 1 period by the baby's father or mother's partner, since the mother will be on maternity leave as it will automatically start the day after the birth. NCL and any other family leave cannot run concurrently. It might, for example, be used by the father or partner where paternity leave has run out whilst the baby is still undergoing neonatal care. In adoption cases, it is only likely to be taken during the tier 1 period by the parent who is not taking adoption leave.

Tier 2 (after neonatal care ends)

- The tier 2 period is any leave taken outside the tier 1 period.
- In this period, employees must give 15 days' written notice of one week's leave, or 28 days' notice of two or more weeks' leave. Additionally, leave in this period can **only** be taken consecutively.
- Tier 2 leave is likely to be taken where an employee on maternity or adoption leave takes NCL at the end of their maternity or adoption leave. The leave can be taken immediately after maternity or adoption leave before the employee returns to work.

The statutory leave entitlement is a maximum of 12 weeks over both tiers.

How to request Neonatal Care Leave

Employees should notify their line manager, as soon as practicably possible, of their situation and that their baby has been admitted into neonatal care. Should the baby require neonatal care for at least 7 consecutive days the employee will be eligible to request NCL.

In all cases the employee must tell their line manager:

- the date of the baby's birth/placement/entry to the UK
- the start date of neonatal care
- the end date of neonatal care (if this is known at the time)
- the date they want the period of NCL to begin
- how much leave they want to take.

The line manager will record the date the baby was admitted into neonatal care (Appendix A – Notification of Neonatal Care Leave form) and look to discuss with the employee their leave options. It is important for the line manager to be sensitive to the situation recognising that it may be difficult for the employee to fully engage in discussions at this time on their leave options.

The employee should notify the line manager once the baby has been discharged from neonatal care. The line manager will also record the date that the baby was discharged on Appendix A – Notification of Neonatal Care Leave.

The Council reserves the right to request evidence of neonatal care to process NCL.

If an employee is taking tier 1 leave the manager should complete the Notification of Neonatal Care Leave (Appendix A) and submit to People Services to ensure no overpayments are made. They must continue to notify AskHR if the dates are consecutive during the tier 1 period.

If the employee is taking tier 2 leave following a period of family leave, they should complete the form and submit to their line manager who will approve the leave and send to AskHR. If an employee is not taking the full 52 weeks maternity leave entitlement, they should also complete the Early Return to Work form as this will end the maternity leave and allow neonatal care leave to commence. This can be found in the Maternity Guidance on People Anytime.

Contact during NCL

It is recognised that it will be a difficult time for a parent when their baby is admitted to neonatal care and that their time and energy will be focused on their baby.

Line managers must be sensitive to the delicate nature of the situation and ensure that they provide appropriate support and maintain reasonable contact with the employee. This contact should be handled with the utmost sensitivity, acknowledging the emotional and physical demands placed on the employee during this time. The primary purpose of the contact is to provide support, and discuss any arrangements or updates regarding their leave.

The line manager should agree with the employee on the preferred method and frequency of contact before NCL begins, and which will be influenced by when the leave is taken in relation to the baby receiving neonatal care. This contact may include regular check ins via phone calls, emails or other agreed-upon communication channels. The aim is to ensure the employee remains connected to the workplace and supported accordingly.

Returning to work after NCL

The Council understands that returning to work can be a difficult time for parents, particularly those who have experienced a traumatic and upsetting time seeing their baby receiving neonatal care.

Before returning to work after taking neonatal care leave (NCL), the employee should have a discussion with their line manager to outline any ongoing needs or adjustments required to facilitate a smooth transition back to the workplace. Babies can have ongoing medical needs requiring regular hospital appointments and check-ups when parents return to work. Support may include arranging for flexible working hours or additional time off for medical appointments for the baby. The Council will support time off to allow parents to attend these appointments in accordance with our Carers Leave Guidance.

Impact on Annual Leave

Employees will continue to accrue annual leave and public holidays when they are on neonatal care leave. When they return to work after their neonatal care leave, they will be able to take their accrued annual leave and public holiday entitlement. When they take this leave is subject to the operational requirements of the Service and before they return to work they should discuss this with their Line Manager.

Special Circumstances

If a baby sadly dies following neonatal care (for at least 7 consecutive days within the first 28 days after birth), the employee would be eligible to take NCL within 68 weeks.

Further support on this can be found in our Parental Bereavement Leave and Pay Guidance.

SECTION 4: FURTHER INFORMATION AND SUPPORT

Support and advice

- Other family leave provisions may be helpful to employees alongside NCL and existing leave such as maternity / adoption / paternity – full details of the family leave provisions available can be found on People Anytime including the Family Leave Policy.
- Flexible Working - Depending on specific circumstances an employee may also wish to explore flexible working options. Further information on the range of flexible working options can be found in the Flexible Working Policy and Guidance.
- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.

External Support

Employees may be able to claim for funds via the [Scottish Government Young Patients Family Fund](#) which is designed to provide a financial contribution towards the cost of having a baby (under 18 years) in hospital which includes neonatal care. Expenses can be claimed for transport, meals, parking and accommodation.

Bliss is a charity for babies born premature or sick, they offer a wide range of free service for the families of premature or sick babies. Further information can be found here - www.bliss.org.uk

Further Advice

For advice and guidance on the application of this guidance please contact People Services - askhr@aberdeencity.gov.uk.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.

SECTION 5: APPENDICES

Appendix 1: Notification of Neonatal Care Leave

Please read the **Neonatal Care Leave Guidance** before completing this form. Managers can complete this form on behalf of their employees.

Neonatal care leave (NCL) is a leave entitlement available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth. Parents will be entitled to a maximum of 12 weeks leave, which is in addition to other statutory parental leave and pay entitlements. Neonatal care leave must be taken within 68 weeks of baby's birth.

Leave types -

- Tier 1 is the period during which the baby is receiving neonatal care.
- Tier 2 is any leave taken outside the tier 1 period.

Employee Details			
Name			
Employee number			
Job Title			
Line Manager			
Please state your relationship to the child			
Date of child's birth / placement / entry to the UK			
Neonatal Care details			
Date of admission to neonatal care			
Date of discharge from neonatal care (leave blank if unknown)			
Notification of Neonatal Care Leave			
Is this Tier 1 leave?		Is this Tier 2 leave?	
Date to and from neonatal care leave is to commence			
Number of weeks requested			

Note – Maternity / adoption / paternity leave cannot be paused or restarted once commenced, the provision of neonatal care leave must be taken at the end of the leave period.

If returning from maternity leave early (i.e. within 52 weeks), the employee must also complete the Early Return to Work Notification form found in the Maternity Guidance.

Once completed, the Line Manager should send this form to
AskHR@aberdeencity.gov.uk.

PEOPLE SERVICES USE

Entitled to SNCP	
Information processed in CoreHR	
Confirmation sent to Line Manager	

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Supporting Employees Undergoing IVF Treatment Guidance



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June 2024 Version 2	<ul style="list-style-type: none"> Updated into standard guidance template Provisions for time off for IVF treatment updated in line with ACAS guidance and language reviewed to ensure inclusive.
Feb 2026 Version 3	<ul style="list-style-type: none"> New paid IVF leave introduced for employees undergoing IVF and their supporting partner. Updated introduction section to ensure clarity on purpose, application and scope, and responsibilities. New Further Information and Support section.

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SECTION 1: INTRODUCTION

Purpose

This guidance is part of the Council's Family Leave provisions, supporting the diverse needs of families and promoting a compassionate, inclusive workplace.

The Council recognises that employees who feel supported and valued within a compassionate workplace are more likely to openly discuss wellbeing concerns or life events, seek support when needed, and successfully transition back to work. Managers who foster trust and demonstrate effective leadership play a crucial role in creating an environment that is open, respectful, and kind, enabling their teams to thrive.

The purpose of this guidance is to provide employees and managers with relevant information on support during IVF treatment, including details on the available provisions, any eligibility criteria, application requirements and support options.

Aberdeen City Council acknowledges that employees experiencing fertility challenges, investigations or treatment should feel supported due to the possible physical and emotional strain placed on them.

Core to this guidance is that no employee will be adversely treated in the workplace due to taking IVF leave.

The council is committed to ensuring family leave provisions are inclusive, equitable, and accessible to all employees, regardless of family structure. We respect and value each employee's circumstances and will provide support without discrimination based on age, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage or civil partnership, race, religion or belief, disability. Our aim is to create a workplace where everyone feels supported in balancing work and family life.

This guidance should be read in conjunction with the Council's Family Leave Policy and Family Leave Planning Toolkit.

Application and Scope

This guidance applies to all employees of the Council except teachers and those other employees under SNCT terms and conditions who have a separate local agreement covering teachers leave of absence.

Responsibility of Managers

Managers should ensure that they are familiar with the provisions of this guidance and are supportive of any employee seeking to request time off to attend or support IVF treatment. This includes sharing details of our [Employee Assistance Programme](#) and [Mental Health and Wellbeing Support](#).

It is important for managers to approach a conversation with an employee regarding IVF treatment with empathy and be sensitive to how difficult it may be for the

employee to open up, and also to adapt to the side effects of medication which are required to be taken during IVF as the treatment will impact individuals differently.

Managers will treat information relating to an employee who is undergoing IVF treatment with respect and confidentiality.

Where a manager is aware that an employee is undergoing an IVF process, they should make every effort to ensure that the employee is protected from discrimination, harassment or victimisation by other employees in connection with the IVF process. Any instance of the above would be treated as a serious matter and would be investigated under the Council's [Dignity and Respect at Work policy](#).

The council acknowledges that employees may require time and a private location within the workplace for sensitive phone calls during their IVF treatment. Managers should allow employees to use their personal phones during the working day so that they can maintain contact and receive important updates.

If an employee notifies their manager that they require medication during their IVF treatment, managers should ensure there are refrigeration facilities (if required) and a clean and private location for the employee to administer their medication.

Responsibility of Employees

Employees should familiarise themselves with this guidance and engage with their line manager at the earliest opportunity when planning to undergo IVF treatment. This can help the line manager to provide support accordingly and also plan how they may cover any leave, where this is required.

Employees are expected to:

- Provide their line manager with as much notice as possible of any time off request(s) providing appropriate evidence of the appointment(s).
- Inform their line manager when the IVF treatment is to begin.
- Inform their line manager once the embryo transfer has been undertaken so the manager is aware of the employee's pregnancy protection rights and the statutory right to time off for antenatal care appointments.

By undertaking all the above, this will enable the manager to provide appropriate support to the employee and at the same time reduce the chances of any uncertainty or misunderstanding arising.

SECTION 2 - Employees undergoing IVF

What is IVF?

In vitro fertilisation (IVF) is a form of fertility treatment. The IVF process involves hormonally controlling the ovulatory process via hormone injections over a period of approximately two weeks with several scans and blood tests undertaken throughout that period. Egg collection is undertaken to remove ova (i.e. unfertilised egg cells) from the individual and fertilised in a laboratory where eggs are grown over approximately 5 days. The fertilised ova are then implanted into the individual with the aim of establishing a successful pregnancy.

A pregnancy/blood test is carried out approximately two weeks after an implantation to determine whether the treatment has been successful. If the treatment is not successful, it may be required to be repeated.

For the purpose of entitlement to employment rights for pregnant employees, an individual is regarded as “pregnant” from the date when the fertilised ova are implanted.

Time off for IVF investigative appointments and treatment

The IVF process generally involves regular medical appointments. The Council recognises, therefore, that an employee undergoing such treatment will likely require time off work for:

- investigative appointments prior to the start of treatment
- in the course of the IVF treatment itself

The Council will treat employees undergoing an IVF process with respect and consideration, with requests for time off being considered sensitively by managers with a supportive approach taken. It is recognised that employees undergoing IVF treatment may not receive treatment in Grampian and this will be taken into account accordingly.

While there is no legal right for time off work for IVF treatment, the Council supports employees undergoing IVF by providing up to 5 days paid IVF Leave per treatment cycle, limited to one cycle in a 12 month period, up to a maximum of 3 cycles in total.

This leave is for the purpose of receiving and recovering from fertility treatment and to attend appointments specifically associated with the process. For example consultant appointments, collection of eggs, monitoring tests etc.

Employees who would like to take time off to support a partner undergoing IVF treatment are eligible to take up to 2 days paid IVF Leave per treatment cycle, limited to one cycle in a 12 month period, up to a maximum of 3 cycles in total. This time off is also available to employees who have a surrogate or co-parent undergoing IVF treatment.

To apply for IVF Leave an employee should let their manager know as soon as possible and request the days they wish to take via the HR/payroll system. Managers may request evidence to confirm the medical appointment where necessary.

Where possible appointments should be arranged outside of normal working hours, as would be for other medical appointments. It is recognised that appointments and subsequent time off during treatment may be required at short notice and managers should be as flexible as possible to accommodate.

An employee may require additional time off for appointments and treatment, over and above the time off provided for under IVF Leave. Medical appointment leave may be appropriate, or depending on the frequency and length of these additional appointments, it may be appropriate that alternative options (or a combination) are explored by the manager and employee to determine the most suitable approach and support with the appropriate one(s) selected to accommodate the request.

The options include:

- Unpaid leave
- Annual leave
- Flexi leave (for those on flexi time)
- Making lost time up at a later date
- Altering hours on a temporary basis
- Consideration of other flexible working options (see the Council's Flexible Working guidance)

Pregnancy protection and time off for antenatal care

An employee undergoing IVF treatment is deemed to be "pregnant" following their embryo transfer. The employee will therefore be legally protected from pregnancy and maternity discrimination, and will have the right to paid time off for antenatal care from this point.

A pregnancy test is usually undertaken two weeks after the transfer to determine whether or not the treatment has been successful. On notification of pregnancy the Council's Maternity Guidance will apply, including the duty on the manager to carry out a risk assessment in relation to the employee's role. The Maternity Guidance can be found on People Anytime.

If IVF is unsuccessful, employees are protected against pregnancy discrimination for two weeks after finding out an embryo transfer was unsuccessful.

Employee sickness absence as a result of undergoing IVF treatment

At any stage of the IVF process, an employee may be absent from work due to the effects of the treatment, with it affecting people in different ways. This could be due to the physical or mental effects (including depression or stress). If this arises, the employee will be regarded as being on sick leave and will report their absence in the normal way.

The manager will undertake a Return to Work Discussion on the employee's return to work after each absence, in line with the [Supporting Attendance and Wellbeing policy](#) at which the opportunity can be taken to explore whether any support can be given within the workplace. If there are any concerns regarding the employee's emotional wellbeing, consideration can be given to referring the employee to the

occupational health service and/or to making them aware of the contact details for the Employee Assistance Programme.

Where a sickness absence review level is met under the Supporting Attendance and Wellbeing policy, the employee will be supported as normal under that policy. Any absences related to IVF treatment that occur following the embryo transfer until pregnancy is determined, will be managed separately as pregnancy related absences (see Supporting Attendance and Wellbeing policy for further details). If the employee's implantation does not result in pregnancy, any IVF related absences from this confirmation will not be considered pregnancy related.

SECTION 3 – Further Information and Support

Support and advice

- [Employee Assistance Programme](#) – The Council provides a free, confidential 24-hour counselling service offering a helpline for general advice and guidance, psychological and emotional support and/or individual counselling.
- [Mental Health and Wellbeing Support](#) – These resources provide a variety of information for employees including details about the councils mental health first aiders network.
- [Financial Wellbeing](#) - Sign posting to resources which can help with managing financial wellbeing, including budgeting advice and tools, Money Advice Team and employability support for parents.
- [ABZ Works](#) – Resources to support employees to take care of themselves, physically, emotionally, and mentally. Sometimes, a change in one area can positively impact change in other areas.

External Support

There are also many charities and external specialist support groups who offer support and information. Some that may be helpful include:

- [Fertility Network UK](#) – the national charity for anyone who has ever experienced fertility problems
- [Fertility Friends Support Forum](#) – an online community dedicated to infertility and fertility support
- [Human Fertilisation and Embryology Authority](#) – a government body with lots of supporting information for everyone whatever their situation
- [British Infertility Counselling Association](#) – signposts to specialist fertility counsellors
- [Tommy's](#) – pregnancy charity funding pioneering research to understand why pregnancy goes wrong. Tommy's provides expert, midwife led advice for parents before, during and after pregnancy
- [MISS](#) - provide one-to-one sessions, virtual support groups, and a range of resources including memory boxes, support packs, podcasts, and a private peer support group.
- [Miscarriage Association](#) - provide support and information to anyone affected by the loss of a baby in pregnancy and to raise awareness.
- [Sands](#) – offer support for all types of pregnancy and baby loss as well as specific support for the partner.
- [The Worst Girl Gang Ever Foundation](#) - bringing people together to share, heal, and support each other through miscarriage, baby loss, and infertility.

Related policy and guidance

- Family Leave Policy

- Special Leave Policy
- Maternity Leave Guidance
- Paternity Leave Guidance
- Adoption Leave Guidance
- [Flexible Working Policy](#)
- [Flexible Working Guidance](#)
- [Career Break Policy](#)
- Parental Leave Guidance
- [Support Attendance and Wellbeing Policy](#)

Further Advice

For advice and guidance on the application of this guidance please contact People Services.

Gathering and Providing Feedback

As part of the Council's ongoing commitment to supporting employees, those who have accessed the Family Leave provisions may be contacted to collect feedback on their experiences. These insights are invaluable in helping to understand what works well and where improvements could be made, directly contributing to enhancing the support offered to all employees.

At any time, employees and managers can communicate feedback on this guidance or suggestions for improvement to People Services.