

# Family Leave Guidance

## **D1. Maternity Leave**

Notification – If a staff member is pregnant, it is important to notify the line manager/MP in writing as soon as possible and no later than the 15<sup>th</sup> week before the expected week of childbirth. The original MATB1 form, once available, must be given to the MP as the employer. It is important the staff member confirms that they wish to take maternity leave (note the first two weeks are compulsory), the date they want to take it from and the week in which the baby is due.

The staff member should refer to their contract of employment and/or addendum on our website to ascertain their maternity entitlements.

The notice of entitlement and intention to take maternity leave form on the IPSA website [here](#) should be completed and emailed to [payroll@theipsa.org.uk](mailto:payroll@theipsa.org.uk), along with a copy of the MATB1 form.

The MP should contact Members HR on 0207 219 2080 or at [membershr@parliament.uk](mailto:membershr@parliament.uk) for information regarding entitlements and any risk assessment needed.

If a staff member wishes to return from maternity leave early they need to inform the MP eight weeks in advance so that preparations can be made for the staff members return.

## **D2. Sick Prior to Maternity Leave**

Maternity leave will automatically start four weeks before the baby is due if the staff member is off work for pregnancy-related illness. If the baby arrives early the leave will start on the day after the birth. IPSA must be informed by email at [payroll@theipsa.org.uk](mailto:payroll@theipsa.org.uk) of this.

## **D3. Paternity Leave**

Paternity leave is granted to those staff members who are taking time off to support the mother or primary carer for the baby or child and intend to be part of their upbringing.

The entitlement is two consecutive weeks. The payment during paternity leave is dependent on the length of service.

Please refer to the addendum in your contract or on the IPSA website for further details of the qualifying periods.

IPSA must be informed of this period of leave once agreed with the MP, please complete the paternity leave request form [here](#) and email to [payroll@theipsa.org.uk](mailto:payroll@theipsa.org.uk).

## **D4. Adoption Leave**

It is important to notify the line manager/MP in writing as soon as if a staff member is matched with a child for adoption and they wish to take adoption leave, ideally within seven days of being notified (unless this is not reasonably practicable). Staff members will need to provide their line manager/MP

with documentary proof of the adoption. This is usually a matching certificate from the adoption agency.

Staff members must also notify their line manager/MP when they expect the child to be placed with them and when they want their adoption leave to start. They are able to change their adoption leave start date so long as they give their line manager/MP at least 28 days' notice, unless agreed otherwise.

The staff member should refer to their contract of employment and/or addendum on our website to ascertain their adoption pay and leave entitlements.

The notice of entitlement and intention to take adoption leave form on the IPSA website [here](#) should be completed and emailed to [payroll@theipsa.org.uk](mailto:payroll@theipsa.org.uk), along with a copy of the matching certificate.

If a staff member wishes to return from adoption leave early they must inform the MP eight weeks in advance so that preparations can be made for the staff members return.

The MP should contact Members HR on 0207 219 2080 or at [membershr@parliament.uk](mailto:membershr@parliament.uk) for information regarding entitlements and any risk assessment needed.

#### **D5. Shared Parental Leave**

Under the Shared Parental Leave (SPL) system eligible staff members will have the right to share up to a maximum of 52 weeks' leave which do not need to be consecutive. The first two weeks leave are compulsory for women on maternity leave.

At the same time that a notice of entitlement and intention to take SPL is submitted, the mother/main adopter must complete and give to their line manager/MP and IPSA, the form Notice of entitlement and intention to take Shared Parental Leave. This is available on our website [here](#).

If the mother is only entitled to maternity allowance (and not maternity leave) her notice of curtailment must be submitted to Jobcentre Plus. Her maternity allowance cannot be reinstated, so she is in effect giving consent for her partner to take the whole of any SPL entitlement.

If a staff member wishes to return from shared parental leave early they must inform the MP eight weeks in advance so that preparations can be made for the staff members return.

The MP should contact Members HR on 0207 219 2080 or at [membershr@parliament.uk](mailto:membershr@parliament.uk) for information regarding entitlements and any risk assessment

#### **D6. Staff Absence Budget**

The salary cost for the absent member of staff will be automatically transferred to the staff absence budget, from the first day of leave, as soon as IPSA are informed.

In such cases an MP may wish to have some support in the office to cover the absence. This cover will be funded from the normal staffing budget.

#### **D7. Returning to work earlier**

If a staff member chooses to return from work earlier than the proposed return date they need to have a discussion with their MP and provide adequate notice, in line with the statutory minimum, in order to ensure the necessary arrangements for their return are made.

### **D8. KIT and SPLIT<sup>1</sup> days**

Staff members on maternity, adoption or shared parental leave are able to work for up to ten KIT and twenty SPLIT days without losing occupational family<sup>2</sup> pay provided the MP gives advance approval. Any type of work can be conducted on a KIT/SPLIT day including training, conferences and meetings but the staff member must be working. They are voluntary during family leave.

Please complete the KIT or SPLIT day payment form [here](#) and email to payroll@theipsa.org.uk.

KIT or SPLIT days are paid at the employee's usual full-time pay rate, regardless of how many hours are worked in a particular day. Therefore if the staff member is in receipt of SMP only or is receiving no pay, they will receive a full-day's pay.

The calculation for this is;

Annual Salary / 12 / working days in the month = daily rate due per KIT/SPLIT day worked

In other words is you monthly salary divided by the working days in the month you came to work a KIT day, can be 20,21,22,23, depending on the month. So the rate may vary in accordance with month when it is served.

### **D9. Unpaid Parental Leave**

If a staff member has completed one year's service with their MP they are entitled to 18 weeks unpaid parental leave for each child born or adopted.

The maximum unpaid leave allowed in any one year is 4 weeks.

Please complete the unpaid parental leave form on the IPSA website should be completed [here](#).

### **D10. Caring Leave**

Staff members have a right to take a reasonable period of time off work to deal with caring or unforeseen circumstances and emergencies involving a dependant. Up to 5 days a year can be taken at full pay at the discretion of the MP. Any additional leave is either taken as annual leave or unpaid leave, which needs to be reported to IPSA.

The notification of caring leave form on the IPSA website should be completed [here](#).

### **D11. Annual Leave on Family Leave**

Annual Leave continues to accrue whilst on family/parental leave. It is recommended that this is taken either at the beginning or the end of the family leave. At the MP's discretion some of it may be carried into the next leave year.

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<sup>1</sup> KIT – Keeping In Touch and SPLIT – Shared Parental Leave In Touch

<sup>2</sup> Family Leave – This collectively covers maternity; adoption; paternity and shared parental leave

#### **D12. Redundancy and family leave**

Staff members who are on family leave and are made redundant should be given their normal contractual or statutory notice and can be paid for their pay in lieu of notice.

#### **D13. Pay award and Family Leave**

If an MP awards pay increases to all of their staff, the same consideration must also be given to a staff member who is on family leave.

#### **D14. Time Off In Lieu**

Any accrued time off in lieu must be taken before a staff member begins their family leave.

#### **D15. Childcare Vouchers**

If a staff member is in receipt of Childcare Vouchers before they go off on maternity/adoption leave, they are entitled to continue receiving them for the duration of their maternity/adoption leave (up to 52 weeks) even if they have no salary to sacrifice.

Therefore the MP must take the full cost of these vouchers as expenditure against their staffing budget.

#### **D16. Employers Pension Contribution**

Whilst a member of staff is in receipt of statutory maternity, adoption or paternity pay the MP will continue to pay full employers pension contributions (10%).

#### **D17. Overpayment Recoveries**

If a member of staff is having any salary overpayment recoveries whilst on family leave, these will cease when they go on to statutory pay only and be restarted upon their return to work.

Should the member of staff not return to work, IPSA will write to them for the outstanding monies owed.

#### **D18. Statutory Money Reclaim**

MPs are classed as small employers and they will automatically receive 103% reclaim against statutory maternity/adoption/paternity and shared parental pay in their staffing budget.

### **D19. Flexible Working Requests**

MPs' Staff have the option to submit a flexible working request prior to returning from family leave. MP's should seek any advice from Members HR relating to these cases.

### **D20. MP ceases to be an Office Holder**

If a staff member is on family leave and their MP ceases to be an Office Holder, the staff member will continue to receive any entitlement to occupational family pay until their last day of service. Any remaining statutory family entitlement will be paid in full in the staff member's final salary.

**If there are any further questions not covered within this guidance, please contact Members HR on 0207 219 2080 or at [membershr@parliament.uk](mailto:membershr@parliament.uk)**