

Family Leave Policy

St Peter's, Colchester

Adopted by the PCC: [tbc]

Review date: [annually]

Policy owner: The Parochial Church Council

1. Purpose

St Peter's seeks to be a church where people are treated with dignity, fairness, honesty and care. This includes the way we support employees through pregnancy, birth, adoption, parenting, bereavement, family responsibilities, sickness, annual leave and other significant personal circumstances.

This policy summarises St Peter's approach to family-related leave and related forms of leave. It explains the main arrangements for:

- maternity leave and pay;
- adoption leave and pay;
- paternity leave and pay;
- shared parental leave and pay;
- ordinary parental leave;
- parental bereavement leave and pay;
- annual leave;
- sickness during leave;
- time off for dependants;
- carer's leave;
- compassionate leave;
- special leave;
- time off in lieu.

The policy is intended to support employees, provide clarity, preserve good working relationships, and ensure that St Peter's acts fairly, lawfully and consistently.

Some of the rights covered in this policy are statutory rights. Statutory rules, eligibility requirements, notice requirements and payment rates may change. St Peter's will apply the statutory rules and rates in force at the relevant time.

This policy does not form part of any employee's contract of employment and may be amended by the PCC from time to time.

2. Scope

This policy applies to employees of St Peter's.

It does not apply to the Vicar in respect of his office as an office-holder under Church of England terms of service. The Vicar's office-holder arrangements are governed by the Church of England, the relevant Statement of Particulars, and diocesan policies.

Where the Vicar also has a separate employment relationship with the PCC, or where the Vicar has a conflict of interest in relation to an employee's request or entitlement under this policy, the Chair of the Human Resources and Remuneration Governance Group, or another person appointed by the PCC, may act in place of the Vicar.

Volunteers, office-holders, clergy, licensed ministers, elected PCC members and others who are not employees are not covered by this employee family leave policy. However, pastoral or practical flexibility may still be considered in relation to voluntary service, ministry roles or office-holder responsibilities where appropriate.

3. Relationship with other policies and documents

This policy should be read alongside, where applicable:

- Welcome, Dignity and Fair Treatment Policy;
- Flexible Working Policy;
- Sickness Absence Policy;
- Grievance Policy and Procedure;
- Disciplinary Policy and Procedure;
- Equal Opportunities Policy;
- Data Protection Policy;
- Data Retention and Records Management Policy;
- Health and Safety Policy;
- Staff Handbook;
- any relevant contract of employment or employment statement.

Where there is a difference between this policy and a statutory entitlement, St Peter's will apply the statutory entitlement in force at the relevant time.

Where St Peter's offers an enhanced entitlement, the enhanced entitlement will apply according to the terms set out in this policy or in the employee's contract or written employment terms.

4. Principles

In applying this policy, St Peter's will seek to:

- treat employees with dignity, fairness and respect;
- support employees through significant family events and responsibilities;
- provide clear information about leave, pay and notice requirements;
- handle requests sensitively and without unnecessary bureaucracy;

- respect confidentiality and personal information;
- avoid unfair treatment because of pregnancy, maternity, adoption, paternity, parental status, caring responsibilities, bereavement, disability or family circumstances;
- consider reasonable adjustments and flexible working where appropriate;
- balance the employee's circumstances with the needs of the church, the requirements of the role, and the effect on other staff and volunteers;
- take HR, legal or payroll advice where appropriate.

Employees are expected to give notice as required, provide necessary information and evidence, keep in reasonable contact, and work constructively with St Peter's to plan leave and return to work.

5. Statutory information and current rates

This policy summarises the main arrangements but does not reproduce all statutory rules in full.

Employees and line managers should check current GOV.UK and Acas guidance where needed, especially for:

- eligibility;
- notice periods;
- qualifying weeks;
- statutory pay rates;
- evidence requirements;
- changes to booked leave;
- return-to-work rights.

Statutory pay rates normally change each tax year. St Peter's will apply the statutory rates in force at the relevant time. The enhanced pay provisions in this policy should be read alongside those statutory rates.

6. Maternity and adoption leave

St Peter's policy in relation to maternity leave and adoption leave is based on statutory maternity and adoption leave rights and does not seek to reduce those rights.

Eligible employees may be entitled to up to 52 weeks' maternity leave or adoption leave, made up of ordinary leave and additional leave, in accordance with statutory rules.

Employees should notify their line manager as early as reasonably possible of pregnancy, expected week of childbirth, adoption match, expected placement, and intended leave dates.

Employees must provide the required statutory notices and evidence, including a MATB1 certificate in the case of pregnancy where required.

St Peter's will confirm leave arrangements in writing.

Employees do not need to give formal notice of return if they intend to return at the end of the full statutory maternity or adoption leave period. However, it is helpful for the employee and line manager to keep in touch about return-to-work planning.

If an employee wishes to return earlier than the end of the full statutory leave period, the employee must provide the required statutory notice in writing.

7. Maternity and adoption pay

Eligibility for Statutory Maternity Pay, Statutory Adoption Pay or Maternity Allowance depends on statutory rules, including length of service, earnings and notice requirements.

St Peter's will apply the statutory maternity and adoption pay rules and rates in force at the relevant time.

In addition, St Peter's provides enhanced maternity and adoption pay as set out below.

Where an employee qualifies for Statutory Maternity Pay or Statutory Adoption Pay, St Peter's will supplement statutory pay with Occupational Maternity Pay or Occupational Adoption Pay so that total maternity or adoption pay reaches the following levels, subject to the cap set out below:

- Weeks 1-6: top up to 100% of average weekly earnings, with no maximum.
- Weeks 7-13: top up to 80% of average weekly earnings, subject to a maximum top-up equal to the prevailing weekly statutory family-pay rate.
- Weeks 14-26: top up to 70% of average weekly earnings, subject to a maximum top-up equal to the prevailing weekly statutory family-pay rate.
- Weeks 27-39: top up to 50% of average weekly earnings, subject to a maximum top-up equal to the prevailing weekly statutory family-pay rate.

If the statutory payment is already higher than the relevant percentage of average weekly earnings, no additional occupational top-up will be paid for that period.

Statutory and occupational maternity or adoption pay will be subject to tax, National Insurance and any other required deductions.

If an employee does not qualify for Statutory Maternity Pay, they may be able to claim Maternity Allowance from the Department for Work and Pensions.

Employees do not have to repay Statutory Maternity Pay, Statutory Adoption Pay, Maternity Allowance, or Occupational Maternity or Adoption Pay unless a separate written agreement or statutory provision requires otherwise.

St Peter's will continue to make employer pension contributions during maternity or adoption leave in accordance with the employee's contract, pension scheme rules, statutory requirements and payroll advice.

8. Rights during maternity or adoption leave

During maternity or adoption leave, the employee's contract of employment continues, except for terms relating to pay where statutory or occupational maternity/adoption pay arrangements apply.

The employee continues to benefit from contractual rights, except where those rights are necessarily modified by the period of leave.

Annual leave and bank holiday entitlement continue to accrue during maternity or adoption leave.

The employee and line manager should discuss when accrued annual leave will be taken. It may be possible to take accrued annual leave before or after maternity or adoption leave, subject to agreement and operational needs.

St Peter's will not treat an employee unfavourably because of pregnancy, maternity leave, adoption leave, or because the employee has exercised a statutory family-leave right.

9. Keeping in touch during maternity or adoption leave

St Peter's may make reasonable contact with an employee during maternity or adoption leave.

Contact may include:

- checking wellbeing;
- discussing return-to-work arrangements;
- informing the employee about significant workplace developments;
- consulting about changes that may affect the employee;
- discussing annual leave;
- discussing flexible working or adjustments on return.

Employees on maternity or adoption leave may work up to 10 Keeping in Touch days where both St Peter's and the employee agree. The employee is not required to work Keeping in Touch days, and St Peter's is not required to offer them.

The rate of pay for Keeping in Touch days should be agreed in advance.

10. Redundancy protection during pregnancy, maternity or adoption leave

If an employee's role is at risk of redundancy during pregnancy, maternity leave, adoption leave, or any protected period after return, St Peter's will apply the statutory redundancy protections in force at the relevant time.

Where the statutory protection applies, the employee may have priority for suitable alternative vacancies, if any are available.

St Peter's will take HR or legal advice where needed before making redundancy decisions affecting an employee who is pregnant, on maternity or adoption leave, or within a protected period after return.

11. Paternity leave and pay

Eligible employees may be entitled to statutory paternity leave and statutory paternity pay following the birth or adoption of a child, in accordance with statutory rules.

St Peter's will apply the statutory paternity leave and pay rules and rates in force at the relevant time.

The current St Peter's enhanced paternity pay arrangement is:

- one week paid at full salary;
- one week paid at the statutory paternity pay rate, where the employee is eligible.

Eligibility, timing, notice requirements and evidence requirements will follow the statutory rules in force at the relevant time.

The employee should notify their line manager as early as reasonably possible of their intention to take paternity leave.

Paternity leave cannot normally begin before the birth of the child or, in adoption cases, before the relevant placement or statutory start point.

Employees continue to accrue annual leave during statutory paternity leave.

12. Shared parental leave and pay

Shared parental leave allows eligible parents to share leave during the first year after birth or adoption, where statutory requirements are met.

Shared parental leave normally requires the birth parent or primary adopter to end maternity or adoption leave early, so that remaining leave can be shared.

Eligibility, notice requirements, booking arrangements, discontinuous leave, changes to leave, and statutory shared parental pay will be handled in accordance with the statutory rules in force at the relevant time.

St Peter's will apply statutory shared parental pay rules and rates in force at the relevant time.

Employees considering shared parental leave should speak to their line manager as early as possible, because the statutory notice and evidence requirements can be detailed.

External Acas and GOV.UK guidance should be checked when shared parental leave is requested.

13. Ordinary parental leave

Eligible employees may be entitled to unpaid ordinary parental leave to care for a child, in accordance with statutory rules.

Ordinary parental leave is separate from maternity, adoption, paternity, shared parental, neonatal care, carer's leave and annual leave.

St Peter's will apply the statutory parental leave rules in force at the relevant time.

From 6 April 2026, Acas guidance states that employees are eligible for ordinary parental leave from the first day of employment, provided other eligibility requirements are met.

Employees should give the required notice and discuss proposed parental leave with their line manager as early as reasonably possible.

14. Parental bereavement leave and pay

St Peter's recognises that the death of a child is a profound bereavement. Employees will be treated with compassion, care and sensitivity.

Eligible employees are entitled to statutory parental bereavement leave in accordance with statutory rules. This is normally a day-one right for eligible employees. Acas guidance states that eligible employees are entitled to two weeks' parental bereavement leave for each child who dies.

Employees may also be entitled to statutory parental bereavement pay, depending on statutory eligibility requirements.

St Peter's will apply the statutory parental bereavement leave and pay rules and rates in force at the relevant time.

Where further leave is needed, this should be discussed with the employee's line manager. Further leave may be considered as compassionate leave, special leave, annual leave, unpaid leave, sickness absence, flexible working, or another appropriate arrangement depending on the circumstances.

15. Neonatal care leave and bereaved partner's paternity leave

Employees may have statutory rights in relation to neonatal care leave or bereaved partner's paternity leave, where the statutory eligibility requirements are met.

Acas guidance notes that neonatal care leave may give eligible parents additional time off where a baby receives neonatal care, and that the right to take neonatal care leave applies from the first day of work.

St Peter's will apply the statutory neonatal care leave, neonatal care pay, and bereaved partner's paternity leave rules in force at the relevant time.

Employees should speak to their line manager as early as reasonably possible if these circumstances arise.

16. Annual leave

Annual leave entitlement is set out in the employee's contract of employment, employment statement, Staff Handbook, or other written terms.

St Peter's will apply statutory annual leave requirements in force at the relevant time.

Annual leave must be agreed in advance with the employee's line manager and recorded in the agreed staff-recording system.

Employees should request annual leave as early as reasonably possible, especially where absence may affect church services, events, administration, safeguarding cover, payroll, governance deadlines, or other operational needs.

St Peter's will seek to deal with annual leave requests fairly, taking account of the employee's needs, the role, staffing cover, ministry and operational requirements, and requests from other employees.

Part-time employees are entitled to annual leave on a pro-rata basis.

Bank holiday arrangements will be dealt with in accordance with the employee's contract or written terms.

Where an employee is on maternity, adoption, paternity, shared parental, parental bereavement, neonatal care or sickness absence, annual leave will continue to accrue where required by law.

17. Carrying over annual leave

Employees should normally take annual leave in the leave year in which it accrues.

Carry-over of unused annual leave may be permitted where required by law, by contract, or by agreement with the line manager.

Carry-over may be relevant, for example, where annual leave could not be taken because of maternity leave, adoption leave, shared parental leave, sickness absence or another statutory reason.

Where an employee has been unable to take annual leave because of sickness absence or statutory family leave, St Peter's will apply the statutory carry-over rules in force at the relevant time.

Any carry-over should be recorded clearly.

18. Sickness during annual leave

If an employee becomes sick during annual leave, they should notify their line manager as soon as reasonably possible.

The employee may ask for the affected annual leave to be treated as sickness absence instead. St Peter's may require appropriate evidence of sickness.

Where annual leave is changed to sickness absence, the employee may be able to take the annual leave at another time, subject to statutory rules, contract terms and operational needs.

Employees on sickness absence may still request annual leave. Any request should be discussed with the line manager.

19. Time off in lieu

It is accepted that, on occasion, an employee's hours worked may exceed their contracted hours.

Time off in lieu, known as TOIL, must be agreed with the employee's line manager. Employees should not assume that extra hours will automatically create entitlement to TOIL unless this has been agreed.

TOIL should normally be taken within the next working week unless the line manager agrees a different arrangement.

TOIL should be recorded in the agreed staff-recording system.

TOIL should be managed carefully so that working hours remain sustainable and so that staff are not placed under unreasonable pressure to work excess hours.

20. Time off for dependants

Employees may have a statutory right to reasonable unpaid time off to deal with certain emergencies involving dependants.

This may include, for example:

- illness, injury or assault involving a dependant;
- disruption or breakdown of care arrangements;
- an incident involving the employee's child during school time;
- making arrangements following the death of a dependant.

The right is intended to allow employees to deal with immediate or unexpected situations and to make necessary arrangements. It is not normally intended to provide long-term care.

Employees should inform their line manager as soon as reasonably possible if they need time off for dependants.

St Peter's will apply the statutory rules in force at the relevant time.

21. Carer's leave

Employees may have a statutory right to unpaid carer's leave, in accordance with the statutory rules in force at the relevant time.

Carer's leave may be relevant where an employee has caring responsibilities for a dependant with a long-term care need.

Employees should discuss carer's leave with their line manager and provide the notice required by law.

Where caring responsibilities are ongoing or affect working patterns, the employee may also wish to discuss flexible working, annual leave, unpaid leave, compassionate leave, special leave or other practical arrangements.

22. Compassionate leave

St Peter's recognises that employees may need time away from work because of bereavement, serious illness, family crisis or other compassionate circumstances.

St Peter's offers up to five days' paid compassionate leave, agreed by the PCC or by the person authorised by the PCC to make that decision.

Further compassionate leave may be considered on a case-by-case basis and may be paid or unpaid.

In considering compassionate leave, St Peter's may take account of:

- the employee's circumstances;
- the relationship with the person affected;
- the nature and urgency of the situation;
- statutory entitlements;
- the employee's role;
- operational needs;
- pastoral and wellbeing considerations;
- fairness and consistency.

Employees should speak to their line manager as soon as reasonably possible where compassionate leave is needed.

23. Special leave

Special leave is discretionary paid or unpaid time off work to help balance significant personal, family, Christian service, civic or emergency responsibilities.

Examples may include:

- compassionate circumstances not covered elsewhere;
- carer responsibilities;
- family emergency;
- jury service;
- civic duties;
- Christian volunteering, such as helping at a Christian camp;
- other exceptional personal circumstances.

Special leave may be agreed by the Vicar, the PCC, the Chair of the Human Resources and Remuneration Governance Group, or another person authorised by the PCC, depending on the circumstances and any conflict of interest.

Special leave will be considered on a case-by-case basis. It is not automatic.

The decision may take account of:

- the reason for the request;
- the length of leave requested;
- whether the leave is paid or unpaid;
- statutory entitlements;
- the employee's role and workload;
- the needs of the church;
- the effect on other staff and volunteers;
- pastoral and wellbeing considerations;
- fairness and consistency.

Any agreed special leave should be confirmed in writing and recorded.

24. Pregnancy-related appointments and antenatal care

Employees who are pregnant are entitled to reasonable paid time off for antenatal appointments in accordance with statutory rules.

Employees should give as much notice as reasonably possible of antenatal appointments and may be asked to provide evidence of appointments where permitted by law.

Partners may also have statutory rights to unpaid time off to attend certain antenatal or adoption appointments, in accordance with statutory rules.

St Peter's will apply the statutory rules in force at the relevant time.

25. Returning to work

St Peter's will seek to support employees returning to work after family-related leave, sickness absence, bereavement or other extended leave.

Return-to-work planning may include:

- confirming the return date;
- discussing accrued annual leave;
- considering flexible working;
- considering reasonable adjustments;
- discussing breastfeeding or expressing arrangements where relevant;
- updating the employee on significant developments;
- agreeing any temporary support;
- reviewing workload and priorities.

If an employee wishes to change their working pattern on return, they should discuss this with their line manager. A formal flexible working request may be needed where the change is intended to be permanent or significant.

St Peter's will consider requests to return part-time, job-share, work flexibly or adjust working arrangements in accordance with the Flexible Working Policy and any relevant statutory rights.

26. If an employee decides not to return

If an employee decides not to return to work after maternity, adoption, shared parental or other extended leave, they must provide the appropriate written notice in accordance with their contract or statutory requirements.

The employee should notify their line manager as soon as reasonably possible.

27. Contact during leave

St Peter's may make reasonable contact with an employee during family-related or other extended leave.

Contact should be proportionate and sensitive. It may include:

- checking wellbeing;
- discussing return-to-work arrangements;
- consulting about changes affecting the employee;
- sharing important workplace information;
- discussing annual leave;
- discussing flexible working or adjustments.

Employees should also keep St Peter's informed of any changes that may affect leave, pay, return dates or working arrangements.

28. Confidentiality and data protection

Information about pregnancy, adoption, fertility treatment, bereavement, family circumstances, health, caring responsibilities, leave, pay and related personal matters will be handled sensitively and confidentially.

Information will be shared only where necessary for proper management, HR, payroll, legal, safeguarding, governance or pastoral purposes.

Records will be handled in accordance with St Peter's Data Protection Policy, Data Retention and Records Management Policy, and Data Privacy Notice.

29. Concerns or complaints

An employee who has concerns about the handling of family leave, annual leave, compassionate leave, special leave or related matters should first raise them with their line manager where appropriate.

If the concern cannot be resolved informally, the employee may raise the matter under St Peter's Grievance Policy and Procedure.

An employee should not be treated unfairly because they are pregnant, on maternity leave, taking adoption leave, paternity leave, shared parental leave, parental bereavement leave,

ordinary parental leave, carer's leave, time off for dependants, compassionate leave, special leave, or because they have requested or exercised a statutory employment right.

30. Further information

Employees may seek further information from their line manager, the Vicar, or the Chair of the Human Resources and Remuneration Governance Group.

External guidance is available from Acas and GOV.UK.

Because statutory family leave and pay rules can change, employees and line managers should check the current GOV.UK and Acas guidance when applying this policy.

31. Review

This policy will be reviewed annually, or sooner if required by changes in employment law, statutory guidance, Acas guidance, St Peter's staffing arrangements, PCC policy, or parish practice.