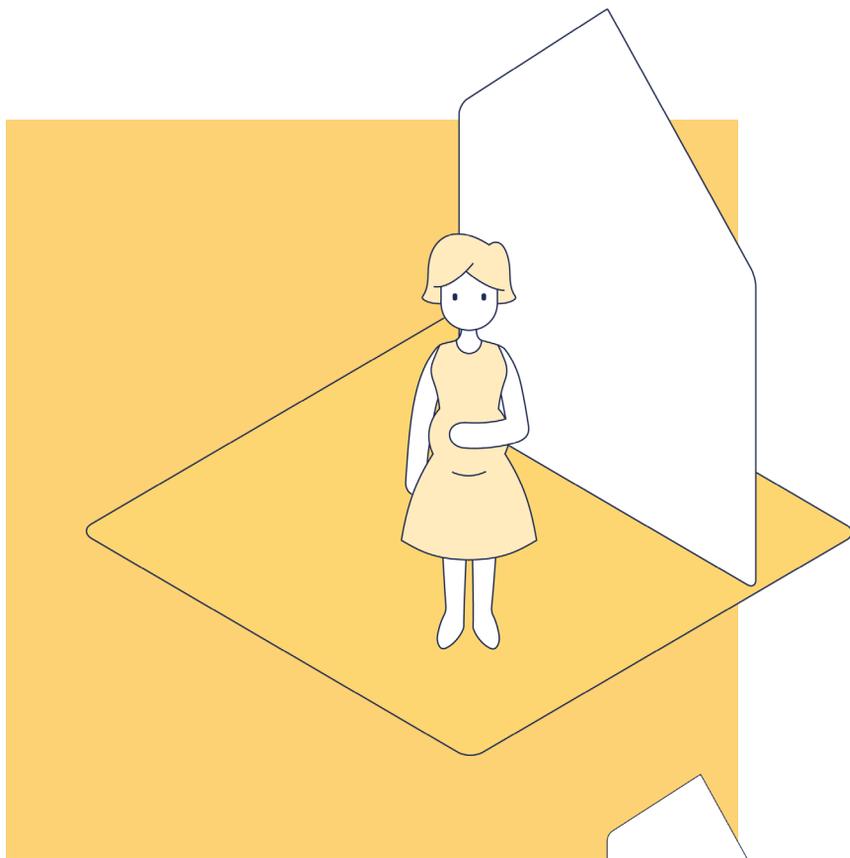


— On your side

Employment Guide

A helpful factsheet
for employers
April 2021

Types of leave



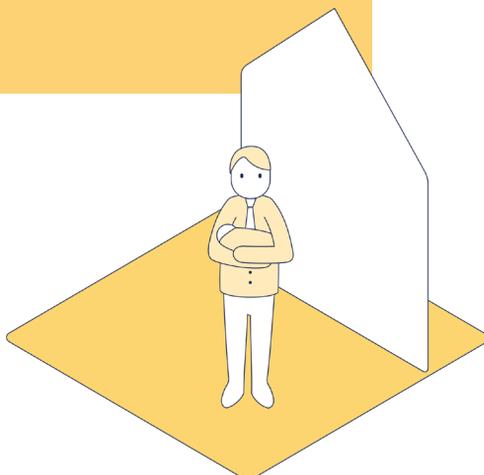
Maternity leave

All pregnant employees are entitled to take up to one year's maternity leave, regardless of their length of service.

This is made up of 26 weeks ordinary maternity leave (OML) followed by 26 weeks additional maternity leave (AML).

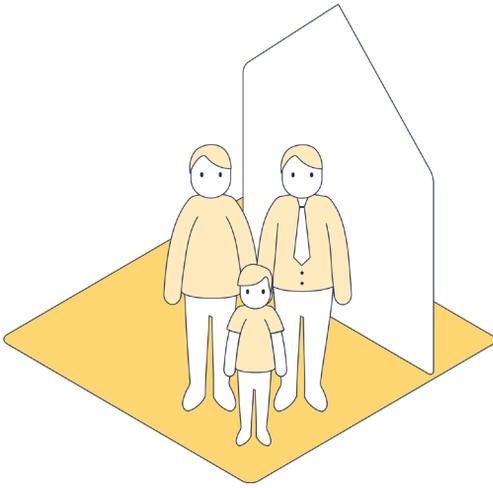
Pregnant employees also have a right to paid time off for antenatal care.

Keeping-in-touch days enable a woman to work for up to ten days during her maternity leave period, without losing SMP.



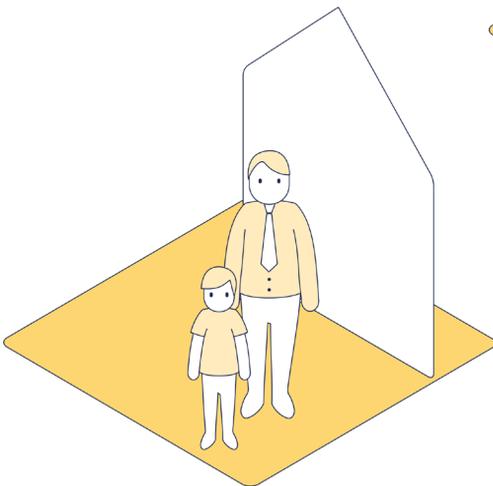
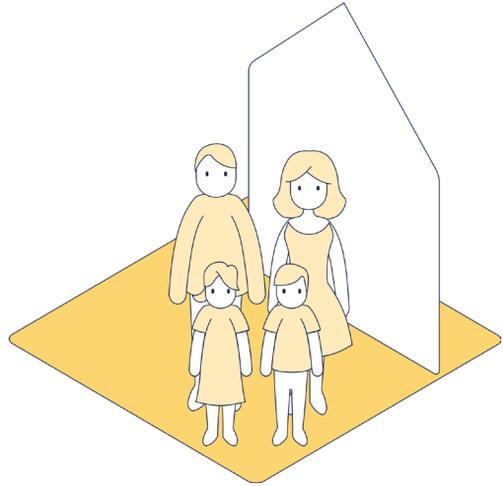
Paternity leave

Fathers with 26 weeks' service ending with the 15th week before the expected week of birth are entitled to take up to two weeks' paid ordinary paternity leave. If two weeks are to be taken, they must be taken consecutively.



Adoption leave

The rules on adoption leave mirror the maternity leave provisions.



Parental leave

All employees with one year's service who have or expect to have responsibility for the child are entitled to 18 weeks' unpaid leave per child to be taken before their child's 18th birthday. Leave must be taken in blocks of one week (unless the child is disabled, where blocks of less than a week are permitted). This applies up to a maximum of four weeks in any one year.

Shared parental leave

Mothers with 26 weeks' service ending with the 15th week before the expected week of birth may, following the compulsory two week period of maternity leave, share up to 50 weeks' leave with their partner, instead of taking their full entitlement to maternity leave.

To be eligible, both parents must satisfy certain earnings and employment requirements. The same principles apply to parents of adopted children.

How much do you have to pay?

(as from 4 April 2021)

Maternity pay

- Qualifying employees will get Statutory Maternity Pay (SMP)
- 90% of weekly earnings for the first six weeks and, for the remaining 33 weeks £151.97 per week or 90% of the average weekly earnings, whichever is the lower
- Employers can pay above the statutory minimum if they wish
- Maternity allowance is paid by the Benefits Agency to those who do not qualify for SMP

Adoption pay

Adoption pay mirrors the maternity pay provisions.

Paternity pay

Paternity leave paid is capped at £151.97 per week or 90% of average weekly earnings, whichever is the lower, for a maximum of two weeks.

Shared parental leave pay

- Qualifying employees will get Statutory Shared Parental Pay (SSPP)
- £151.97 per week or 90% of the average weekly earnings, whichever is the lower, for a maximum of 39 weeks, less any weeks spent receiving any other family leave pay
- Employers can pay above the statutory minimum if they wish

Parental pay

All parental leave is unpaid.

Parental bereavement leave and pay

(as from April 2021)

All employees who lose a child under the age of 18, or suffer a stillbirth after 24 weeks of pregnancy, are entitled to two weeks' bereavement leave. This applies to both parents.

Employees with at least 26 weeks' service, who meet the minimum earnings criteria, qualify for statutory parental bereavement pay (SPBP). This is paid at the same rate as statutory maternity pay. Employers can pay above the statutory minimum if they wish.

Other basics

Statutory minimum notice

Employer must give:

- one week's notice after one month's continuous service
- two weeks' notice after two years' continuous service
- and then one week's notice for each year of continuous service to a maximum of 12 weeks

Employee must give:

- one week's notice after one month's continuous service

Working time

- limit of 48 hour working week
- 24 hours off per week (or 48 hours' rest per fortnight)
- 11 consecutive hours of rest a day
- 20 minute break after six hours worked
- 5.6 weeks' paid leave a year
(28 days for five day working week)
- Entitlements are calculated pro-rata for part-time workers

National living wage / minimum wage (as from 1 April 2021)

Year	Age	23+	21-22	18-20	16-17	Apprentice
2021	Per hour	£8.91	£8.36	£6.56	£4.62	£4.30

Statutory sick pay (as from 6 April 2021)

- £96.35 per week
- Maximum entitlement is 28 weeks in any single or linked period of incapacity for work

Week's pay (as from 6 April 2021)

- £544 for the purposes of calculating statutory redundancy payments and the Tribunal's basic award

Tribunal limits (as from 6 April 2021)

- Basic award (and statutory redundancy payments) - £16,320
- Compensatory award - £89,493

Contact us

To discuss how we can help with any legal matters, or should you have any questions, please contact us on **020 7725 8000**.



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