

SEDDONS

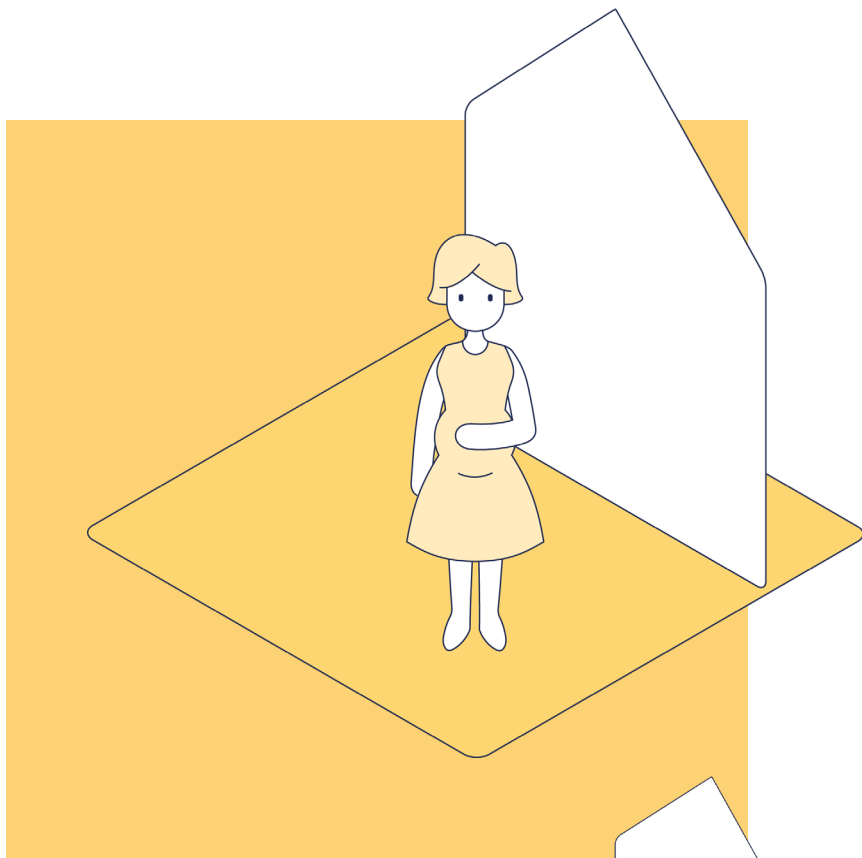
Employment Guide

A helpful factsheet
for employers
April 2023

— On your side



Types of leave

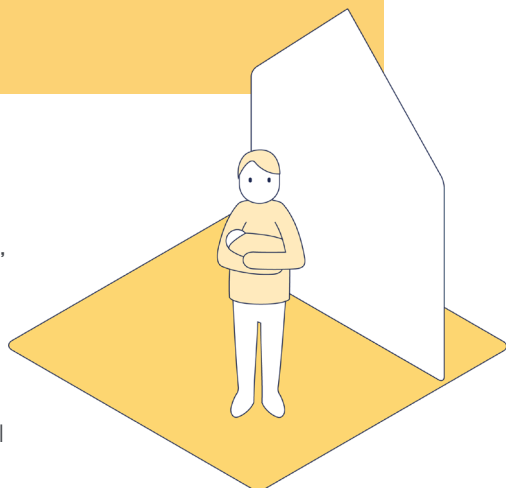


Maternity leave

All pregnant employees are entitled to take up to 12 months' 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).

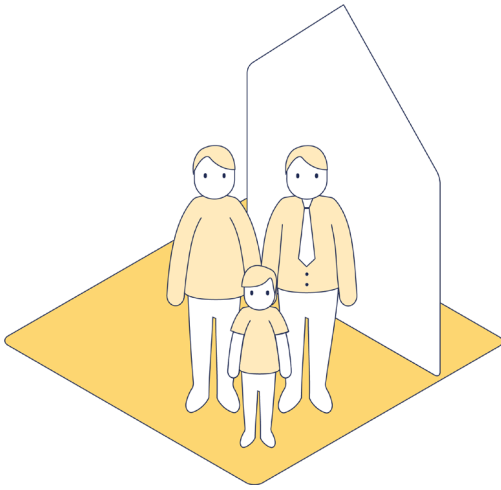
Pregnant employees also have a right to paid time off for antenatal care.

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



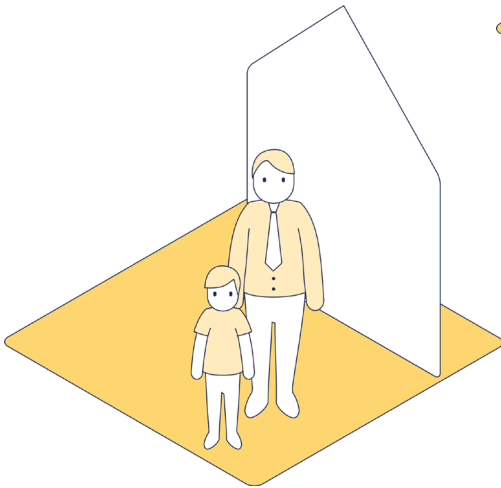
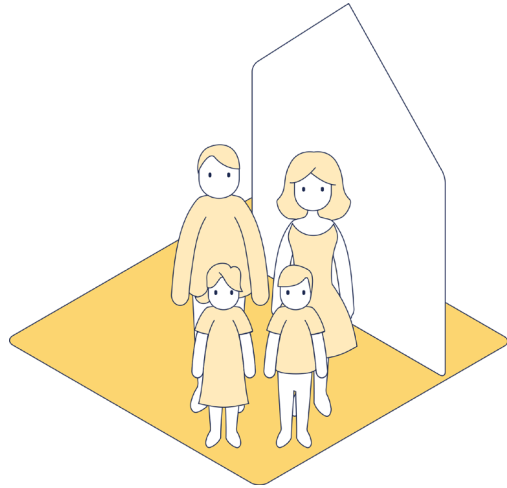
Paternity leave

Biological fathers/eligible employees 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. Leave must be taken in a consecutive block of either one or two weeks.



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 a child are entitled to 18 weeks' unpaid leave per child to be taken before the 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.

Similar principles apply to parents of adopted children or who are using a surrogate.

To be eligible for shared parental leave, both parents must satisfy certain earnings and employment requirements.

How much do you have to pay?

(as from 3 April 2023)

Maternity pay

- Qualifying employees will be entitled to Statutory Maternity Pay (SMP).
- SMP is 90% of average weekly earnings for the first six weeks and, for the remaining 33 weeks, £172.48 per week or 90% of the average weekly earnings, whichever is the lower.
- Employers can pay above the statutory minimum if they wish - as they can with all types of statutory leave.
- 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 £172.48 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).
- £172.48 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.

Parental pay

All parental leave is unpaid.

Parental bereavement leave and pay

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.

Other basics

Statutory minimum notice

Employers 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 up to a maximum of 12 weeks

Employees must give:

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

Working time

- limit of 48 hour working week (unless the employee opts out)
- 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
(i.e. 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 2023)

Year	Age	23+	21-22	18-20	16-17	Apprentice
2023	Per hour	£10.42	£10.18	£7.49	£5.28	£5.28

Statutory sick pay (as from 6 April 2023)

- £109.40 per week
- Payable from the 4th day of sickness absence and for up to 28 weeks of sickness absence (in a consecutive period or in aggregate)

Week's pay (as from 6 April 2023)

- £643 for the purposes of calculating statutory redundancy payments

Tribunal limits (as from 6 April 2023)

- Maximum weekly pay for calculating a basic award £643
- Maximum compensatory award for unfair dismissal £105,707

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**.



Helen Crossland

Partner and Head of Employment

+44 (0) 20 7725 8034

helen.crossland@seddons.co.uk



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120 New Cavendish Street
London
W1W 6XX

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