

PLYMOUTH ARENA

FAMILY LEAVE POLICY

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RESPONSIBLE PERSON: SARAH PHILIPS

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**ICONIC.
INDEPENDENT.
YOURS.**

FAMILY LEAVE POLICY

PURPOSE

The purpose of this document is to set out the requirements relating to the entitlement of taking family leave.

SCOPE

This policy applies to all employees that work at Plymouth Arena.

POLICY

This Family Leave Policy is central to the way we operate and as such, the overall responsibility for its implementation rests with the Chief Executive and the Management Team.

The Chief Executive and Management Team will, through the delivery and implementation of this policy and associated tools, ensure that all managers receive appropriate instruction to support their understanding of the Family Leave Policy and enable them to consistently apply the principles therein. Managers, coordinators and supervisors have specific responsibilities to ensure that their decisions do not discriminate unlawfully against members of their team and that any corrective action taken is within the bounds of this policy and subsequently current legislation and best practice.

The Chief Executive and Management Team will:

- Endorse and support the policy
- Ensure all line managers are made aware of the policy and their responsibilities within it
- Review the policy annually and amend as necessary to reflect legislative or best practice changes

AVAILABILITY OF THE POLICY

A copy of this policy is available to all current employees:

As part of their staff induction

On the administration drive

MATERNITY LEAVE OVERVIEW

This applies to all employees, full-time, part-time and zero hours (sometimes referred to as 'casuals'). Plymouth Arena recognise that arrangements for adequate cover during the period of maternity leave, as well as arrangements for communication during maternity leave, are important for ensuring smooth transitions at every stage.

When an employee receives medical confirmation that the employee is pregnant, the employee should notify the employee's line manager as soon as possible and let him or her know the expected week of childbirth (EWC) and the date on which the employee wants or expects to begin maternity leave (which cannot be a date earlier than the 11th week before the EWC).

The employee's doctor will provide her with a MATB1 form after her 20th week of pregnancy. This should be passed to the line manager who will take a copy and send the original to the Office Administrator.

As soon as practicable after the notification of the employee's pregnancy, arrangements should be made for the employee to meet with her line manager. This will be an informal interview, the purpose of which is to ensure that:

- The employee understands their right to maternity leave, including the requirements for them to give appropriate notice
- The employee's right to return to work after maternity leave is explained, together with any potential opportunities for flexible working
- The employee knows their entitlements to payment during maternity leave

For health and safety reasons, the employee is required to notify their line manager as soon as the employee is aware that the employee is pregnant. The line manager will then carry out a pregnancy risk assessment to ensure that any potential risks to either the pregnant employee or their unborn child are identified and either eliminated or mitigated. This should be regularly reviewed and updated throughout the pregnancy.

If it is not possible to eliminate or suitably mitigate any risk identified by the assessment, then it may be necessary to consider redeploying the employee to an alternative position for the duration of their pregnancy, and if necessary, for up to six months after the birth of the child if there continues to be a risk. If this is not possible, then it may be necessary to suspend the employee on full pay until there is no longer a risk to their health or that of their unborn baby. This measure would only be taken to protect the employee and the baby and advice should be taken from senior management before reaching such a decision.

If the employee has any concerns about their own health and safety at any time, the employee should consult with their line manager immediately.

Pregnant employees are entitled to paid time off during their normal working hours to attend antenatal care appointments. The organisation has an expectation that the employee will try to arrange appointments at the start or end of the working day whenever possible; however it is recognised that this is not always practical. Antenatal care includes:

- Appointments with their GP and/or midwife
- Scans and hospital clinics
- Relaxation or parenting classes

Employees may be required to produce an appointment card or another document confirming all appointments other than the first. They should advise their line manager that they will be absent as far in advance of their appointment as possible. Should an appointment be for a relaxation class, the employee may be asked to provide evidence from a GP that this has been recommended as an appropriate course of action.

MATERNITY LEAVE

All pregnant employees are entitled to take up to 52 weeks' statutory maternity leave regardless of their length of service.

The 52 week period is made up of 26 weeks ordinary maternity leave (OML) followed immediately by 26 weeks' additional maternity leave (AML).

COMPULSORY MATERNITY LEAVE

Employees of Plymouth Arena must take a minimum of two weeks maternity leave after the birth of their child. Legislation prohibits the employee from returning to work during this two week period.

An employee can choose to start their maternity leave at any time after the start of the 11th week before the expected week of childbirth, up until the actual expected date of birth of the child.

However, if the employee is absent from work with a pregnancy related illness at any time after the start of the fourth week before the child is due, then Plymouth Arena has the right to require that the employee commences their maternity leave with effect from the first day of the pregnancy related absence.

Provided the correct notification requirements set out in this document have been met, the employee may vary the dates of their maternity leave, provided the employee notifies their line manager in writing of the variation at least 28 days before the new date on which the employee will commence the leave to commence.

STILLBIRTH AND MISCARRIAGE

In the sad event that the employee should suffer the misfortune of giving birth to a stillborn baby, they would still be entitled to maternity leave provide the stillbirth occurred after the 24th week of pregnancy. Should a stillbirth or miscarriage occur before the 24th week of pregnancy, then the employee would be entitled to sick leave or compassionate leave in order to recover. Plymouth Arena is committed to the health and wellbeing of its employees and the line manager should make every effort to support the employee during this difficult time.

NOTIFICATION OF MATERNITY LEAVE

The employee must give notice of their intention to take maternity leave in writing addressed to their line manager no later than the end of the 15th week before the expected week of confinement (EWC). That notice must state:

- That you are pregnant
- The week in which your child is due (note that for maternity leave purposes, a week always begins on a Sunday)
- Whether you intend to take ordinary maternity leave and/or additional maternity leave
- The date on which you want your maternity leave to start; NB: this date cannot be earlier than the 11th week before the EWC

The employee should enclose a MAT B1 form with the letter, signed by their GP or midwife which confirms the EWC.

If the employee gives birth before the date on which they have requested to commence maternity leave, or before they have notified the employer, then their maternity leave will automatically begin on the day after the birth. In such circumstances, the employee should notify their line manager as soon as is reasonably practicable and tell them that they have given birth, the date on which the birth occurred, and the date on which the baby was originally expected.

RETURNING FROM MATERNITY LEAVE

The employee has the right to return to work following their maternity leave and it will be assumed that they will return after 52 weeks unless they have explicitly stated otherwise. Although there is no requirement for the employee to give formal notice of the date on which they intend to return to work, it is often helpful to discuss these arrangements in advance of their actual return date. This is something that can be agreed between the employee and their line manager.

If the employee with the employees to return to work before the date on which their maternity leave is due to end, then they must give at least eight week's notice in writing of the new date on which they intend to return.

MATERNITY PAY

To qualify for Statutory Maternity Pay (SMP), the employee must have been continuously employed by Plymouth Arena for at least 26 weeks as of the 15th week before the EWC and their average weekly earnings must be at least equal to the lower earnings limit of National Insurance.

All employees are entitled to SMP if they meet the qualifying criteria. Some historic contracts include a provision for occupational maternity pay and that is outlined in each individual's employment contract. In such circumstances, payment of these sums is conditional upon the employee returning to work for at least three months. Payments made under this clause (as detailed in your contract) that are over and above statutory entitlement will be by way of a loan, which will be repayable to Plymouth Arena in the event that you do not return to work for a period of not less than three consecutive calendar months. Maternity pay will be paid into the employees' bank account on the same date that they would have received their salary and will be subject to the usual deductions for tax, National Insurance and pension contributions.

If the employee does not qualify for maternity pay, they may be able to claim state maternity allowance. The line manager will be able to advise them on how to claim this.

CONTRACTUAL BENEFITS

The employee will continue to receive their contractual benefits during their maternity leave (apart from remuneration). This includes the right to be included in any company-wide review of salary or benefits.

HOLIDAYS

While the employee is on maternity leave, their contractual holiday entitlement will continue to accrue. They will not lose any accrued untaken holiday entitlement at the end of the holiday year if they are on maternity leave at the time and will be allowed to carry the holiday over to the next holiday year. The employee may elect to take all of their holiday immediately before their maternity leave commences or immediately following the end and before their return to work. They may not however, use their holiday entitlement during their maternity leave.

CONTACT AND WORK DURING MATERNITY LEAVE

During maternity leave, it is important to maintain contact with the employee. It may also be possible for them to attend work as a means of keeping in touch with workplace developments.

The frequency and nature of the contact should be discussed and agreed between the employee and their line manager before their maternity leave begins and will be influenced by things like the employee's position in the organisation, their personal preference and whether there are any business activities or changes which they should be kept informed about.

Employees may, subject to mutual agreement, work for up to 10 days during maternity leave without affecting their eligibility for SMP. These days are referred to as 'keeping in touch' (KIT) days and could be for the purposes of attending training courses or staff meetings, carrying out specific tasks or projects or simply keeping up-to-date about what is happening in the organisation. There is no obligation on either side to offer KIT days or to agree to work them if offered.

Any amount of work done on a KIT day counts as a whole day even if only a few hours were worked. The amount of pay offered to the employee for working a KIT day should be agreed at the time of arranging and should be commensurate with the tasks and activities required on the day.

RETURNING TO WORK AFTER MATERNITY LEAVE

If the employee returns to work immediately following a period of ordinary maternity leave, they will return to the same job that they left on the same terms and conditions of employment. If, for health and safety reasons, they are doing a different job whilst they were pregnant, they may be required to return to that different job for a short time if they are still at risk when they returns to work.

If the employee returns to work immediately following a period of additional maternity leave, they should return to the same job that they left on the same terms and conditions of employment, unless this is not reasonably practicable in the circumstances. In this case, they would be entitled to return to another job which is both suitable and appropriate for them to do and on terms and conditions no less favorable than their previous job.

Line managers who think that it might not be reasonably practicable for an employee to return to their same job after AML should contact the Senior Management Team for advice and guidance before taking any action in relation to the employee.

BREASTFEEDING ADVICE FOR RETURNING MOTHERS

Where a new mother returns to work before their baby is 12 months old and is still breast feeding, the employee is entitled to additional protection until the baby is 12 months old. For example, the employee ought not to be required to do unsociable hours if this might affect the baby's wellbeing. In addition, the employee should be provided with time off, facilities and privacy to feed their baby during work time, whether feeding the baby directly if it is brought to their at work, or by expressing milk for later use.

Breastfeeding mothers who return to work before their baby is 12 months old should notify their line manager of this in writing so that the line manager can carry out a risk assessment to ensure that there are no work related factors that would pose a risk to either the breastfeeding mother, or their baby (working with dangerous substances, long or unsociable hours, excessive stress).

Adequate facilities must be made available for the breastfeeding mother to either feed their baby, or to express milk. Appropriate facilities will be a private room, which is warm and has a chair and an allocated fridge for the purposes of storing expressed milk, as well as suitable facilities for washing, sterilising and storing receptacles. Toilet areas are not acceptable facilities.

Once a line manager has received notification from an employee returning from maternity leave that they will require breastfeeding facilities, they must discuss the requirements with the Senior Management Team. The arrangements for facilities that are agreed should be confirmed in writing to the employee and a copy given to the administration assistant.

Breastfeeding mothers are also entitled to paid time away from their work for the purposes of breastfeeding and should not be expected to carry this out during their break times.

PATERNITY

Every effort is made to support those employees taking paternity leave. This policy sets out the leave to which employees are entitled, and the associated arrangements.

Employees of Plymouth Arena will be eligible for paternity leave and pay if they:

- Are the father of the child and/or the husband/partner of the mother (including same-sex partner, or parent in an adoption scenario)

- Have been employed continuously for a minimum of 26 weeks by the 'notification week' (i.e. the 15th week before the EWC) or, for adoption paternity leave, by the end of the week in which the child's adopter is notified that they have been successfully 'matched' with a child
- Have or expect to have responsibility for the upbringing of the child
- Have given the correct notice
- Are taking the time off to support the mother and/or care for the baby

The employee is entitled to a maximum of two weeks Ordinary Paternity Leave (OPL) and can choose to take either one week or two consecutive weeks' leave, but not occasional days or separate weeks.

An employee who is entitled to OPL is also entitled to attend ante natal appointments with the pregnant mother of their child. These appointments are limited to two appointments of a maximum of 6.5 hours each and the time off is unpaid.

The employee cannot take OPL until the child is born, but can give notice of their intention to take their paternity leave as follows:

- On the date of the child's birth (whether this is earlier or later than expected)
- On a specified number of days following the child's birth (whether this is earlier or later than expected)
- On a specified date which is later than the first day of the EWC (however, if the child is born later than this then OPL must be delayed until the actual birth of the child)

OPL must be taken:

- Within 56 days of the date on which the child was born or
- If the child is born earlier than expected, within 56 days of the first day of the EWC

Only one period of leave will be available to the employee even if more than one child is born as the result of the same pregnancy.

For OPL in the case of adoption, the EWC would be the date on which the child is expected to be placed with their adopted parents and if this date is earlier or later than planned, then the date of the actual placement would be equivalent to the actual date of childbirth above.

NOTIFICATION OF ORDINARY PATERNITY LEAVE

The employee should inform their line manager of their intention to take OPL on or before the 15th week before the EWC. In the case of adoption, this should be within seven days of the date on which they have been matched with a child, unless this is not reasonably practicable, in which case it should be as soon as possible.

The employee will need to inform their line manager in writing of:

- The week the baby is expected or in the case of adoption, the date on which the child is expected to be placed with the adoptive parents
- Whether they intend to take one or two weeks' leave
- When they intend the leave to start

The employee should inform their line manager, in writing, as soon as is reasonably practicable after the child's birth, of the actual date on which the child was born.

If the employee has given notice of their intention to take OPL and wishes to change the date that their leave begins, they must give written notice 28 days before the new period of leave is due to start.

PATERNITY PAY

During OPL, the employee may be eligible to receive ordinary Statutory Paternity Pay (OSPP). OSPP will be paid at the rate which is in force at the time. To receive OSPP, the employee needs to complete Form SC3 (births) or SC4 (adoptions). These can be downloaded from the HMRC website:

SC3 form - http://search2.hmrc.gov.uk/kb5/hmrc/forms/view.page?record=PyrE0M_QyjE&formid=928

SC4 form - <http://search2.hmrc.gov.uk/kb5/hmrc/forms/view.page?record=tZaf9kf0ZvQ&formid=929>

Plymouth Arena will 'top up' OSPP to full pay.

CONTRACTUAL BENEFITS

Employees of Plymouth Arena continue to be entitled to any contractual benefits as per their terms and conditions of employment, except for remuneration, throughout their paternity leave.

Employees on paternity leave continue to remain bound by any obligations arising under their contract of employment.

RETURN TO WORK AFTER ORDINARY PATERNITY LEAVE

Following a period of Ordinary Paternity Leave, employees of Plymouth Arena are entitled to return to the same job on the same terms and conditions as if they had not been absent due to OPL.

Employees may elect to take a period of parental leave immediately following their OPL.

SHARED PARENTAL LEAVE

You and your partner may be able to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP) if you're having a baby or adopting a child.

You can share up to 50 weeks of leave and up to 37 weeks of pay between you.

You need to share the pay and leave in the first year after your child is born or placed with your family.

You can use SPL to take leave in blocks separated by periods of work, or take it all in one go. You can also choose to be off work together or to stagger the leave and pay.

To be eligible for Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP), both parents must:

- share responsibility for the child at birth
- meet work and pay criteria - these are different depending on which parent wants to use the shared parental leave and pay

Due to the complexity relating to shared parental leave, and the frequency with which legislation changes, employees are advised to check the government website for up to date advice (see the end of the policy).

ADOPTION

Plymouth Arena are committed to the support of any employees who are engaged in the process of adopting a child. This policy sets out the procedures that should be followed to ensure a smooth handover at the start and end of adoption leave.

STATUARY ADOPTION LEAVE

Employees of Plymouth Arena are entitled to take up to 52 weeks Statutory Adoption Leave (SAL) when they adopt a child subject to the following qualifying criteria:

- They have been matched with a child to be placed with them for adoption by a UK adoption agency and have agreed to accept the child and a date of placement has been agreed
- They have been continuously employed by Plymouth Arena for at least 26 weeks by the week that they have been informed that they have been matched with a child (the 'matching week')

- They have notified their line manager no later than seven days after they have been informed that they have been matched with a child of their intention to take SAL

Statutory Adoption Leave is made up of 26 weeks Ordinary Adoption Leave (OAL) and 26 weeks Additional Adoption Leave (AAL).

Couples who adopt jointly may choose which parent will take SAL and the other parent would then be entitled to take Statutory Paternity Leave (SPL), regardless of gender. They cannot both take SAL or SPL even if they have separate employers.

Only one period of SAL may be taken by the employee, regardless of how many children they are adopting simultaneously.

NOTIFICATION OF STATUARY ADOPTION LEAVE

Employees of Plymouth Arena should inform their line manager in writing of their intention to take adoption leave within seven days of being notified that they have been matched with a child for adoption, unless this is not reasonably practicable. They should enclose a copy of the matching certificate received from the adoption agency and they will need to state:

- When the child is expected to be placed with them
- When they want their adoption leave to start

Should the employee wish to change the date on which they wish to start their adoption leave, they should inform their line manager in writing at least 28 days in advance of the revised date, unless this is not reasonably practicable.

Plymouth Arena will write to the employee within 28 days of receiving their notice, setting out the date on which they will return to work if the full entitlement to adoption leave is taken.

Adoption leave can start:

- From the date of the child's placement (whether this is earlier or later than expected)
- From a fixed date which can be up to 14 days before the expected date of placement

ADOPTION PAY

In addition to Statutory Adoption Pay (SAP), some employees with historic contracts where they would be entitled to occupational maternity pay, will be entitled to the same pay for adoption, with the same conditions as Occupational Maternity Pay.

Adoption pay will be paid into the employees' bank account on the same date that they would have received their salary and will be subject to the usual deductions for tax, National Insurance and pension contributions.

OTHER RIGHTS OF EMPLOYEES ON STATUARY ADOPTION LEAVE

Employees on Statutory Adoption Leave have the same rights, protections and entitlements as employees on Statutory Maternity Leave detailed earlier in this document.

NEONATAL CARE

Plymouth Arena are committed to supporting employees where they are responsible for a baby receiving neonatal care. We recognise that this can be a difficult and worrying time, both physically and mentally.

NEONATAL CARE LEAVE

Employees of Plymouth Arena are entitled to take one week of neonatal care leave for each consecutive seven-day period that their baby is receiving neonatal care, up to a maximum of 12 weeks.

Employees may take neonatal care leave if they have parental or other prescribed responsibility for a baby who is receiving, or who has received, neonatal care. This will apply if the employee is:

- the child's parent, intended parent, or partner of the child's mother at the date of birth
- in cases of adoption, the child's adopter, prospective adopter, or the partner of either, at the date the child is placed.

"Neonatal care" is defined in law as care of a medical or palliative kind lasting for at least seven consecutive days which starts within 28 days beginning with the day after the child's birth. The medical care may be received in hospital, or out of hospital providing the child was originally an inpatient and the care is under the direction of a consultant. Neonatal care also covers babies receiving palliative or end of life care.

Plymouth Arena recognise that people other than those listed above in relation to whom the statutory right applies may want time off in these circumstances. Requests for time off in relation to these people should be made to your line manager but these will be considered separately to time off for statutory neonatal care leave.

NOTIFICATION OF NEONATAL CARE LEAVE

Employees of Plymouth Arena must give notice in writing when requesting Neonatal Care Leave.

The notice must specify:

- employee name
- the child's date of birth and date of placement if adoption
- the date the child started receiving neonatal care
- the date neonatal care ended if the child is no longer receiving it
- the proposed date for leave to begin
- the proposed number of weeks' leave

- declaration that the leave is being taken to care for the child
- declaration that all eligibility requirements are being met

Employees can take neonatal care leave during two periods:

- a) “tier one period” — starts from the day the child starts receiving neonatal care, ending with the seventh day after the child stops receiving neonatal care. Leave taken in this period:
 - a. cannot be taken before the day after the first 7-day uninterrupted period of neonatal care
 - b. can be taken in non-consecutive weeks
- b) “tier two period” — any period which is outside of tier one where employees are entitled to neonatal care leave. Leave taken in this period must be taken consecutively.

Employees wishing to take neonatal care leave in the tier one period must give the required notice before they are due to start work on the first day of absence, unless it is not reasonably practicable to do so, to prevent any delays in accessing their entitlement.

If employees wish to take neonatal care leave in the tier two period, they must give the required notice no later than 15 days before the first day of leave when taking a single week, or no later than 28 days before the first day of leave when taking two or more weeks.

Where employees change their mind regarding taking Neonatal Care Leave, they may withdraw their notice by following the same notice periods as above.

Neonatal Care Leave will start on the day specified in any employees notice, unless the leave is due to start on the same day as the notice is given, or the employee is at work on that day, then it will start the day after.

Neonatal Care Leave must be taken before the end of a period of 68 weeks beginning with the child’s date of birth or date of placement in cases of adoption.

Where employees accrue neonatal care leave after already starting another period of statutory family leave, such as maternity or paternity leave, they can take the neonatal care leave after the end of the statutory family leave, providing it is within 68 weeks beginning on the child’s date of birth or placement.

NEONATAL CARE PAY

Employees are entitled to Statutory Neonatal Care Pay during neonatal care leave if they:

- are eligible for statutory neonatal care leave
- have 26 weeks' continuous service by the week immediately preceding the one in which neonatal care starts
- earn at least the lower earnings limit on average calculated over the period of eight weeks ending with the week before neonatal care starts
- are still in employment in the week before neonatal care starts.

Eligible employees are entitled to a maximum of 12 weeks' Statutory Neonatal Care Pay, paid at one week per every seven uninterrupted days of care the child receives.

The weekly rate of Statutory Neonatal Care Pay is the lower of:

- the current statutory rate
- 90% of the employees normal weekly earnings.

Employees eligible for Statutory Neonatal Care Pay, must give Plymouth Arena notice, in writing, of their intention to claim this pay alongside their notice of intention to take Neonatal Care Leave.

Where employees are claiming Statutory Neonatal Care Pay in the tier one period, they must provide notice before the end of 28 days after the first day of the pay week the notice refers to.

Where employees are claiming Statutory Neonatal Care Pay in the tier two period, they must provide notice no later than 15 days before the first day of the relevant pay week when taking a single week, or no later than 28 days before the first day of the first relevant pay week when taking two or more weeks.

This notice must include:

- employee name
- the child's date of birth and date of placement if adoption
- the date the child started receiving neonatal care
- the date neonatal care ended if the child is no longer receiving it
- declaration that the week the employee is claiming pay for was taken to care for the child
- declaration that the employee meets the eligibility requirements.

RETURNING FROM NEONATAL CARE LEAVE

Employees have the right to return to work in the same job. Where it is not practicable for an employee to return to this same job, they will have the right to return to a similar job on no less favourable terms.

PARENTAL LEAVE

Employees of Plymouth Arena who have children under the age of 18 are entitled to take up to a maximum of 18 weeks unpaid parental leave for each child.

Parental leave must be taken in blocks of one week (unless the child is in receipt of Disability Living Allowance) and only a maximum of four weeks leave per child can be taken in any one year. Parental leave is in all circumstances unpaid leave.

Employees of Plymouth Arena are entitled to take parental leave provided they:

- Have been continuously employed for at least one year at the time they wish the parental leave to start
- Have, or expect to have, parental responsibility for a child under the age 18.

NOTIFICATION OF PARENTAL LEAVE

Employees of Plymouth Arena wishing to take parental leave should inform their line manager in writing at least 21 days before the date on which they wish their parental leave to begin. Notice should state both the start and end date of the required leave.

Line managers are entitled to ask the employee to provide them with evidence of their entitlement to take parental leave. Examples of such evidence might be proof of:

- Their responsibility or expected responsibility for the child in respect of whom they propose to take parental leave
- The child's date of birth, or in the case of a child who was placed with them for adoption, the date on which the placement began
- In the case where the employee's entitlement depends on whether the child is entitled to disability living allowance (i.e. for a period less than a week).

If an employee of Plymouth Arena does not provide evidence when requested, then they may not be allowed to take parental leave.

POSTPONEMENT OF PARENTAL LEAVE

Plymouth Arena reserve the right to ask an employee to postpone their period of parental leave by up to one month if it can be demonstrated that allowing the employee to take parental leave at the time requested would cause severe disruption to the operation of its business. Such requests to postpone parental leave should not be unreasonable and every effort will be made to reach a suitable compromise with the employee.

Where parental leave is planned to start with effect from the date of a child's birth or adoption placement, then Plymouth Arena will not request a postponement of such leave.

Arrangements will be made for cover of the employee's workload, and they will be kept in touch with any important work developments. Plymouth Arena will also ensure that they remain on circulation lists for internal memoranda and will be included in invitations to work-related social events. All other terms and conditions of contract (other than remuneration) will remain the same.

DEPENDANT CARE LEAVE

This section outlines employees' right to time off work to deal with emergencies involving a dependant person or persons.

Employees have the right to take a reasonable amount of time off to deal with an unexpected or sudden problem involving a dependant.

Employees have the right to take time off work to deal with an emergency where:

- A dependant falls ill, is or has been involved in an accident or assaulted, including where the dependant is distressed or hurt, but not physically injured (e.g. if the dependant has been bullied)
- Their partner gives birth (see paternity section)

- They need to make longer-term arrangements for an ill or injured dependant
- They need to deal with the death of a dependant, e.g. make funeral arrangements
- They need to deal with an unexpected disruption in care arrangements for a dependant
- They have to deal with an incident involving a dependant which occurs during school hours

A dependant is the child, partner, parent or someone who lives with the employee as part of their family (excluding tenants or employees). In cases of illness or injury for which care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance.

Payment for such periods of leave are dependent upon the contract of employment of the individual. In the majority of cases such leave will be unpaid. The employee's line manager should check this information before approving the leave to be paid. The employee should request this in writing and submit this to their line manager.

IVF LEAVE

In cases where an employee of Plymouth Arena is undergoing IVF treatment and requires time off to attend hospital appointments, this should be dealt with in the same way as time off for any other medical appointment. Whether or not to allow the time off will be at the line manager's discretion and dependant on the operational pressures on the department. Plymouth Arena understand that undergoing IVF treatment can be an emotional and stressful time for people and therefore every effort will be made to try and accommodate appointments for treatment. However, to minimise disruption to the department and to colleagues, employees are encouraged to engage in early and frequent conversation with their line manager about the amount of time off that might be required and wherever possible to arrange appointments at a time convenient to the department (avoiding peak times, not in the middle of shifts etc.).

RIGHT TO REQUEST FLEXIBLE WORKING

Plymouth Arena is committed to supporting its employees to achieve a healthy balance between their work and home lives. Enabling employees to work more flexibly in some circumstances can be beneficial to both the employee and to the organisation.

Any employee might make a request to their line manager to change their working hours or other working arrangements and any such requests should be given consideration and responded to appropriately.

However, some employees have a statutory right under employment legislation to request flexible working arrangements and these requests must be dealt with according to the guidelines set out below.

To qualify for the legal right to make a flexible working request, the employee must:

- Have worked for Plymouth Arena for 26 weeks continuously before applying
- Not have made another application to work flexibly during the past 12 months (even if this is for a separate caring responsibility)

Under the statutory provisions, Plymouth Arena will give serious consideration to any application received from an employee asserting their right to request flexible working before making a decision. Whilst such requests will not be unreasonably refused, Plymouth Arena are entitled to reject a request for flexible working where it has a legitimate business reason for doing so. It is important to note that an employee only has a right to request flexible working, not an automatic right to work flexibly.

Careful consideration will be given to all requests once all the facts have been evaluated in conjunction with the individual's needs and the requirements of the business.

EXAMPLES OF FLEXIBLE WORKING:

The term 'flexible working' can refer to alternative working arrangements both in terms of the hours worked and the location of work. Some types of flexible working are listed below. For further information or advice, speak to your line manager or the Management Team.

- Part-time working
- Flexitime

- Term-time working
- Annualised hours
- Compressed hours
- Sabbaticals/career breaks
- Home working
- Job sharing

MAKING AN APPLICATION FOR FLEXIBLE WORKING HOURS:

Employees of Plymouth Arena wishing to request flexible working should submit a formal application setting out their eligibility to make a statutory request as detailed earlier in this document.

The employee's application must:

- Be made well in advance of when they want it to take effect
- Be in writing (whether on paper or electronically)
- Be dated
- State that the application is made under the statutory right to request a flexible working pattern
- Give details of the flexible working pattern that they are applying for, including the date from which they want it to start
- Explain what effect they believe the new working pattern would have on the department and outline how any impact on the business might be minimised
- State whether they have made a previous application and, if so, the date on which it was made

MEETING TO DISCUSS THE FLEXIBLE WORKING REQUEST

Once Plymouth Arena has received a statutory request to work flexibly from an employee, the line manager should acknowledge receipt of the request in writing and arrange a meeting with the employee to discuss their request. The whole process of request to final outcome should take no more than 3 months. The meeting should take place as soon as it is reasonably practical to do so.

Employees invited to attend a meeting to discuss their request to work flexibly have the right to be accompanied at the meeting by either a trade union representative or a work colleague.

During the meeting, the line manager should discuss the proposal set out by the employee with a view to understanding both the individual and business impact of implementing the requested changes to working arrangements. The line manager might ask the employee to provide further information, or propose an alternative arrangement that might meet the employees' needs.

The line manager should inform the employee of their decision in writing within 14 days of the meeting.

Once the line manager has met with their employee to discuss a flexible working request and has received all the information they require from the employee in support of their request, the line manager must give serious consideration before reaching their decision. The line manager can decide to:

- Accept the employee's request and agree to a permanent change to their employment terms and conditions
- Offer the employee a trial period of the new working arrangements to be reviewed once the trial period ends
- Reject the employee's request but propose an alternative means of flexible working as a compromise
- Reject the employee's request entirely

NB: Requests should only be rejected where there are legitimate business grounds for doing so (for example being unable to recruit additional staff to make up any short fall in hours, being unable to meet the demands of customers, a detrimental impact on quality). Line managers should discuss their decision with senior management before rejecting a flexible working request.

RIGHT OF APPEAL

An employee has the right to appeal against a decision to reject their request for flexible working.

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Any appeal must be made in writing within 14 days of the date on which the employee received written notice that their request was rejected. The appeal should set out the grounds on which the employee believes the decision was unfair and should be addressed to senior management, who will arrange for the appeal to be heard by an appropriate manager.

Unless it is not reasonably practicable, an appeal will always be heard by a manager at either the same level, or higher than the manager making the original decision.

A meeting to hear the appeal should be arranged as soon as reasonably practical and the employee has the right to be accompanied as before. Following the appeal meeting, the employee should receive written notice of the decision made by the manager hearing the appeal within 14 days of the meeting.

WITHDRAWAL OF AN APPLICATION FOR FLEXIBLE WORKING

If an employee decides to withdraw their application for flexible working, they should notify their line manager as soon as possible in writing, to avoid any misunderstandings.

The employee's application will be considered to be withdrawn if they fail to attend on two consecutive occasions any meeting arranged by their line manager to discuss their request.

CONCLUSION

Plymouth Arena understands that the family and personal lives of its employees are important and believes that supportive and considerate management is the key to ensuring that employees can meet their commitments outside of work whilst at the same time continuing to make a valuable and vital contribution to the business. Through the consistent application of the processes outlined in this policy document, it is hoped that Plymouth Arena will be able to nurture, develop and retain the skill and talent of those employees with growing families.

ENFORCEMENT

MANAGERS, COORDINATORS AND SUPERVISORS

Managers, coordinators and supervisors are responsible for communicating the relevant elements of this policy to their direct reports and ensuring compliance and consistent application within their areas of responsibility.

INDIVIDUAL RESPONSIBILITY

Every employee has a responsibility to follow Plymouth Arena procedures for the requesting and taking of any family leave.

An employee's responsibilities are to make sure that:

- Family leave requirements are communicated at the earliest opportunity and is within the timeframes set out in this document
- Family leave is taken only when genuinely required
- Regular contact is maintained as agreed throughout the period of family leave and where applicable, a return to work date given as early as possible
- Relevant documentation is submitted as required by the policy in a timely manner
- In cases of dependent's leave where the time off is required to deal with a sick or injured dependent, every effort is made to find alternative care arrangements and/or assist swift recovery

ADDITIONAL INFORMATION

For further information about health and safety during pregnancy, please see the following links:

<https://www.gov.uk/working-when-pregnant-your-rights>

<http://www.hse.gov.uk/mothers/>

<https://www.gov.uk/shared-parental-leave-and-pay>

<https://www.gov.uk/adoption-pay-leave>

<https://www.gov.uk/flexible-working>

