

30% Club Financial Services Sub-committee Sample Policies

Open Source Policy Bank



This bank serves to act as a reference point for 30% Club members when forming their Diversity & Inclusion policies.

We have a number of policies from companies within the financial services industry. Within the policy bank, we have divided these policies into similar themes.

From these policies, we have identified the key themes included within each policy topic.

This section includes 3 sample Policies on Paternity Leave

Top 5 things to include in company policies



Agile / Flexible hours working policy (we are providing 3 policy examples)

1. To whom it applies
2. What is included as agile / flexible working e.g. hours, location,
3. Process for applying or agreeing new arrangements
4. Limitations / restrictions to the policy
5. Legal and other company requirements

Diversity / Equality policy (we are providing 4 policy examples)

1. To whom it applies
2. Ways in which the company offers equal opportunities for all
3. Merit based progression opportunities
4. Support of those with disability
5. Company response to reported discrimination

Maternity Leave policy (we are providing 3 policy examples)

1. Doctor appointments, antenatal class and post natal support
2. Paid and unpaid leave timeframes
3. Annual leave and public holiday entitlements
4. Legal entitlements
5. Early births, deaths and other considerations during leave

Top 5 things to include in company policies



Paternity leave policy (we are providing 3 policy examples)

1. Qualifying for leave
2. Leave Entitlements
3. Applications to the Department of Social Protection
4. Stipulations of the leave policy
5. Early births, deaths and other considerations during leave

Parental leave policies (we are providing 3 policy examples)

1. Qualifying for leave
2. Statutory entitlements
3. Public holidays and annual leave
4. Application procedure
5. Illness and other reasons for suspension or postponement of leave

Other policy examples available

1. Compassionate / Force Majeure / Emergency Family Leave
2. Well Being Policy
3. Dignity Policy

Additional Case Studies available

1. Flexible working
2. Gender balance
3. Equal opportunities

Paternity Leave Policy – Sample 1



The Paternity Leave and Benefit Act 2016 commenced on 1 August 2016. The Act enables a “relevant parent” to take two weeks paternity leave which must commence within the first 26 weeks of the birth/adoption of a child. Subject to eligibility and notification criteria being met, paternity leave will apply to births/placements that take place on or after the 1 September 2016. During paternity leave, employees who have the necessary PRSI contributions and hold a Public Services Card are entitled to paternity benefit from the Department of Social Protection.

Purpose

Paternity leave is available to eligible employees to allow them time off from work around the birth or adoption of their child or the child of their spouse or partner.

Scope

This policy covers all part-time and full-time employees within the group provided that they meet the conditions outlined below.

Eligibility to take Paternity Leave Benefit

Paternity Leave Benefit from the Department of Social Protection is available to employees who are deemed to be the “relevant parent” of a child. Only one person who is a “relevant parent” in relation to a child can be entitled to paternity leave in respect of that child. There is no qualifying period for entitlement to paternity leave.

Under the Paternity Leave and Benefit Act 2016 a “relevant parent” is defined as:

- a) in the case of a child who is, or is to be, adopted –
 - i. where the child is, or is to be, adopted jointly by a married couple of the same sex, the spouse chosen by that couple to be the relevant parent for the purposes of this Act,
 - ii. or
 - iii. in any other case, the spouse, civil partner or cohabitant, as the case may be, of the adopting mother or sole male adopter of the child,

Or

- a) in any other case;
 - iv. the father of the child,
 - v. the spouse, civil partner or cohabitant, as the case may be, of the mother of the child, or
 - vi. a parent of the child under section 5 of the Children and Family Relationships Act 2015 where the child is a donor-conceived child within the meaning of Part 2 of that Act

Paternity Leave Policy – Sample 1



To qualify for Paternity Leave Benefit, employees must satisfy one of the following PRSI contribution conditions:

- At least 39 weeks PRSI paid since first starting work and at least 39 weeks PRSI paid or credited in the relevant tax year or in the tax year immediately following the relevant tax year.
- For example, if you are going on Paternity Leave in 2016, the relevant tax year is 2014 and the year following that is 2015 or
- At least 26 weeks PRSI paid in the relevant tax year and at least 26 weeks PRSI paid in the tax year immediately before the relevant tax year. For example, if you are going on
- Paternity Leave in 2016, the relevant tax year is 2014 and the year before that is 2013

If you do not meet these PRSI conditions and you were self-employed before starting work as an employee, you can use your Class S contributions to qualify for Paternity Benefit - see PRSI conditions for self-employed people on the Dept. of Social Protection Website.

You are awarded credited contributions or credits automatically when you are getting Paternity Benefit. Credits are awarded at the same rate as your last paid contribution. These credits help protect your future entitlement to social welfare benefits and pensions.

If you were previously insurably employed in a country covered by EU Regulations, you may combine your insurance record in that country with your Irish PRSI contributions to help you qualify for Paternity Benefit in Ireland. You must be currently in insurable employment in Ireland and have paid your most recent PRSI contribution in Ireland. More information is available in our document about combining your social insurance contributions from abroad. Social Welfare deducted is at the Maximum weekly benefit payable. If there are any discrepancies between what is deducted from salary and what is received from Department of Social Protection or if the employee has no entitlement, the original notification letter should be forwarded to Group Payroll to make the necessary adjustments.

Entitlements and conditions

The following conditions apply to taking Paternity Leave.

- Subject to eligibility and notification criteria being met, Paternity Leave will apply to births/ placements that take place on or after the 1 September 2016.
- An employee who is a relevant parent may avail of a continuous period of two weeks Paternity Leave. The leave entitlement must be taken as a block of two weeks and cannot be fragmented into smaller periods of leave.

Paternity Leave Policy – Sample 1



Entitlements and conditions contd

- Paternity Leave can begin at the time of the birth/adoption or within 26 weeks of the birth/placement of the child. The leave will commence on the date the relevant parent selects in his/her written notification. It should be noted that Paternity Leave cannot commence earlier than the expected date of birth or date of placement of the child and cannot commence later than 26 weeks after date of birth or the date of placement of the child.
- In the case of multiple births, or where two or more children are being adopted at the same time, only a single two week block of Paternity Leave applies.
- Paternity Leave must be used to assist in the provision of care to the child or to provide support to the relevant adopting parent or mother of the child, as the case may be, or both.

Applying for Paternity Leave

Employees should advise their Line Manager, as early as possible but no later than 4 weeks before they intend to take the leave. The following is required by HR Shared Services to assist with the processing of your claim;

1. Confirmation in writing that the employee has agreement from their manager with the dates intended for Paternity Leave. The request must specify the commencement date of the period of leave.
2. A medical certificate after the 24th week of pregnancy (i.e. from the beginning of the 25th week) confirming the expected date of birth if the leave is to be taken at the time of birth, or a copy of the birth certificate if the leave is to be taken within the 26 week period or in the case of adoption, confirmation of the expected day of placement must accompany this notice.

Please note that the Paternity Leave must be taken in one continuous block and cannot be broken down.

The above should be sent to XXXX as early as possible but no later than 4 weeks before the employee intends to take the Paternity Leave, in order for your claim to be processed on time. HRSS will note your application and fill in the relevant form (PB2 Form). These will then be returned to you, for you to apply with your completed PB1 form (containing personal details) directly to the Department through www.mywelfare.ie

In the event that Paternity Leave Benefit is not paid by the Department of Social Protection, the company reserves the right to be reimbursed for leave taken.

Paternity Leave Policy – Sample 1



Payment of the Paternity Leave Benefit

During Paternity Leave, relevant parents who have the necessary PRSI contributions are entitled to paternity benefit from the Department of Social Protection. Claim applications should be made using the Paternity Benefit Application forms, which are available from the Department of Social Protection. The Paternity Benefit Application Form along with the PB2 Form which HR will send you are submitted to the Department of Social Protection.

The relevant parent must have a Public Services Card to apply for Paternity Benefit.

If the relevant parent does not already have a Public Services Card, he/she can make an appointment to get one at www.mywelfare.ie. The company will complete the employers section of the form when it has been completed by the employee.

Employees who have completed 12 months service will receive full salary payment for the 2 weeks less Paternity Leave Social Protection Benefit while on Paternity leave, subject to their ability to fulfil the general provisions set out above.

Payroll will continue to make deductions from salary during absence, which can result in negative pay. Any amounts due will be recovered on return in the first month's salary, or earliest available opportunity. Employees may avail of the option to prevent build-up of negative balance during unpaid Leave, by cheque on receipt of payslip. Employees should contact Payroll if they wish to arrange this.

The payments in respect of Paternity Leave in excess of Social Welfare Benefits will be made only to employees who continue their careers with the Company after the period of Paternity Leave. Thus, such payments are made on the condition that the employee will return to work for 6 months after their Paternity Leave. In the event that they do not return to work after Paternity Leave or they leave the Company within the first 6 months of returning to work, any salary payments made whilst they were on Paternity Leave must be repaid to the Company.

All repayments to the Company should be made within 14 days from the cessation of the employee's paternity leave period or the employee giving notice of his/her intention not to return to work, whichever is applicable.

Paternity Leave Policy – Sample 1



Payment of the Paternity Leave Benefit contd

In addition to any other rights it may have, the Company shall have the right to set-off any monies due by employees hereunder against any sum payable by it to the employee, whether by way of wages or otherwise, and employees hereby irrevocably agree and consent to any such set-off or deduction. Interest on any monies owed by employees to the Company hereunder shall accrue at the annual compound rate of EURIBOR plus 10% from the date upon which the debt becomes due to the date on which it is repaid in full and any such interest shall itself become a debt capable of recovery by the Company in accordance with the provisions hereof.

Annual leave and public holidays

While on paternity leave employees retain the right to accrue annual leave and public holidays as if the employee had not been absent from work.

Staff Pension Scheme

Employees who avail of the Paternity Leave scheme will remain members of the Staff Pension Scheme. Pension contributions will be deducted from salary in the normal way during Paternity Leave.

Early Birth/Premature Birth

Where the birth of the child occurs 4 or more weeks prematurely, the employee must notify HR Support Services of their intention to commence Paternity Leave in writing, within 7 days of the birth. In such circumstances, the employee will be deemed to have complied with the notification requirements of the Act.

Miscarriages & Still Births

If there is a stillbirth or miscarriage any time after the 24th week of pregnancy (i.e. from the beginning of the 25th week) and the employee is entitled to Paternity Leave, they are entitled to 2 weeks Paternity Benefit provided they satisfy the social insurance (PRSI) requirements. Please contact your HR Business Partner for more information.

Postponement of Paternity Leave due to late birth/ postponed adoption placement

An employee who is a relevant parent may postpone a period of Paternity Leave where the date of birth occurs after the date selected by a relevant parent in their notification to the company or where the date of placement is postponed in the case of adoption. The relevant parent may select another date on which Paternity Leave will commence.

Paternity Leave Policy – Sample 1



Postponement of Paternity Leave due to illness of the relevant parent

In the event that an employee becomes ill before a period of Paternity Leave has commenced, the period of leave may be postponed. Notification of a request to postpone the leave due to illness must be received by the company as soon as possible after becoming ill and must be accompanied by a medical certificate. The employee must follow up in writing confirming the request to postpone the leave as soon as is reasonably practicable but not later than the day on which the postponed leave begins. The leave may be postponed until such time as the relevant parent is no longer sick.

The period of postponed leave must commence not later than 7 days after the relevant parent is no longer sick or another date as agreed between the relevant parent and the company, but must end not later than 28 weeks after the date of birth or day of placement. The employee must notify the company when they intend to take the postponed Paternity Leave not later than the day the employee commences the leave.

Postponement of Paternity Leave when the child is hospitalised

If the child is hospitalised, the employee may request in writing to postpone all or part of their Paternity Leave.

Postponement of Paternity Leave in such circumstances is subject to approval by the company. The company will respond to the request for postponement as soon as practicably possible with a decision on the matter.

Where the company agrees to postpone the leave, the leave will be postponed with effect from a date agreed by both parties. The employee will return to work on a date agreed by the company and employee. The postponed leave must be taken in a continuous block not later than 7 days after the discharge of the child from hospital or such other date as may be agreed upon between the employee and the company. The employee must notify the company when they intend to take the postponed Paternity Leave not later than the day the employee commences the leave.

It is important to note that if the employee falls ill during the period of Paternity Leave, and requests to be viewed as being on sick leave from work, the employee will forfeit the remainder of the Paternity Leave which cannot be taken at a later date following the period of sick leave.

Paternity Leave Policy – Sample 1



Transferred Paternity Leave

Where a relevant parent entitled to Paternity Leave in relation to a child dies, an employee who is the surviving parent of the child will be entitled to the leave. This entitlement exists up to 28 weeks after the date of birth or day of placement of the child.

Abuse of Paternity Leave

Where the company has reasonable grounds for believing that an employee who is on Paternity Leave is not using the leave for the purpose for which it is intended, the company may, by notice in writing given to the employee, terminate the leave and the notice will contain a statement in summary form of the grounds for terminating the leave and will specify the day by which the employee must return to work. If, following an investigation, an employee is found to have abused this leave, he or she may be subject to disciplinary action, up to and including dismissal.

Employment protection

An employee who is absent on Paternity Leave will be treated as if the employee had not been absent. At the end of the Paternity Leave, the employee will be entitled to return to their original job under terms and conditions no less favourable than those that would have applied if they had not been absent.

Local Paternity Leave Arrangements

This policy now supersedes any local Paternity Leave arrangements.

Paternity Leave Policy – Sample 2



Policy Statement

Recognising the role of both parents in the lives of their children is an important aspect of achieving a more flexible and modern work environment. This policy sets out the organisations' commitment to two weeks paid paternity leave, both in compliance with legislation and extending beyond those legal requirements by topping up your pay to full pay for the period, where an employee's partner has given birth to or adopted a child and where they will be the joint parent.

Standards

This policy applies where your spouse, legal or civil partner has given birth to or adopted a child on or after 1st September, 2016, where you will be the joint parent

- It's two weeks leave to be taken anytime within the 6 months following the birth or adoption placement date
- To be eligible, you need to have completed your probationary period
- You are potentially entitled to two weeks statutory pay. *If you work within X ROI, then you need to submit your application to the Department of Social Protection at least 4 weeks before you intend to go. In UK, the statutory pay element, if due, will be triggered by your submission of the internal application form to HR Direct.*
- It's the same two weeks allocation whether it's a single or multiple birth/adoption
- Where a pregnancy goes beyond 24 weeks but a baby is stillborn, the leave will be made available on the same terms

Guidelines

- We'd ask that you try and give as much notice as you can on the dates, ideally at least 4 weeks in advance, so that it can be accommodated on the leave list
- The leave should be taken in a two week block
- If you plan to also apply for parental leave (unpaid), we'd encourage you to talk to your line manager as early as possible so that it can be considered in the overall plan of work for you and your team

Paternity Leave Policy – Sample 3



6.9. PATERNITY LEAVE

6.9.1. Informing the Company

The Company request employees who wish to take Paternity Leave to inform their Line Manager and the HR Department as early as reasonably practicable in order that the Company can ensure compliance with requirements under the Paternity Leave Act and plan for necessary staffing requirements during the leave period.

6.9.2. Paternity Leave – Duration

An employee is entitled to a continuous period of 2 weeks Paternity Leave provided that they comply with the notification process - see section

Paternity Leave can begin at the time of the birth/adoption or within 26 weeks of the birth/placement of the child. The leave will commence on the date the relevant parent selects in his/her notification. It should be noted that Paternity Leave cannot commence earlier than the expected date of birth except in the case of early births - see section 6.9.4, or date of placement of the child and cannot commence later than 26 weeks after date of birth or the date of placement of the child.

In the case of multiple births, or where two or more children are being adopted at the same time, only a single 2 week block of Paternity Leave applies.

6.9.3. Paternity Leave - Notification

The employee must provide a minimum of 4 weeks' notice via MyHR of their intention to take Paternity Leave. The employee will be required to provide a certificate from a spouse/partner's doctor confirming when the baby is due, or confirmation of the baby's actual date of birth if the leave application is requested after the birth has occurred. The request must specify the commencement date of the period of leave. This notification will be sent to the Line Manager and the HR Department for approval.

6.9.4. Early Birth

Should the birth of the child occur 4 or more weeks prematurely, and the employee wishes to commence Paternity leave soon after the birth, the employee will be deemed to have complied with the notification requirements if they notify the Line Manager and the HR Department by email within 7 days of the birth, of their intention to commence Paternity Leave on a given date. In the event of a miscarriage or stillbirth occurring after the 24th week of pregnancy, an employee is entitled to Paternity Leave.

Paternity Leave Policy – Sample 3



6.9.5. Postponing Paternity Leave due to Hospitalisation of Child

An employee can postpone Paternity Leave and Paternity Benefit or whatever portion of it remains for a maximum of 6 months in the event of hospitalisation of their baby. If this occurs an employee must inform their Line Manager and the HR Department, and also send a letter from the Company confirming the new leave dates to the Paternity Benefit section of the Department of Social Protection. Please liaise with the HR Department in relation to this letter.

6.9.6. Maternity/Adoptive/Paternity Benefit, Salary payments/other benefits

Under the Acts an employer is not obliged to pay remuneration to an employee on Maternity/Adoptive/Paternity Leave. For Company employees there is some entitlement to remuneration (salary and other benefits) during Maternity/Adoptive/Paternity Leave, which depends on their length of service – see section 6.9.8 for further detail. Absence on Additional Maternity/Adoptive Leave is unpaid.

6.9.7. Maternity/Adoptive/Paternity Benefit and PRSI contributions

Entitlement to Maternity/Adoptive/Paternity Benefit depends on individual circumstances or entitlements. Applications must be sent to the Department of Social Protection at least 6 weeks before starting leave. Forms are available on the website of the Department of Social Protection. This benefit is taxable and is only payable during Maternity/Adoptive/Paternity Leave i.e. it is not payable during Additional Maternity/Additional Adoptive Leave. An employee will automatically be unpaid Additional Maternity/Adoptive Leave HR will provide a request form for Maternity/Adoptive Leave PRSI 'credits' after a return to work.

6.9.8. Maternity/Adoptive/Paternity Leave Pay

An employee will be paid salary through payroll in the normal way for the 26 weeks of Maternity Leave, 24 weeks of Adoptive Leave, or 2 weeks of Paternity Leave provided that they;

- i. have twelve month's continuous service with the Company prior to the expected date of commencement of leave;
- ii. sign the mandate at Appendix 1 accepting this policy and agreeing:
 - o to claim all Maternity/Adoptive/Paternity benefits which are due to them and which are payable directly to them, from the Department of Social Protection;
 - a) to mandate payment of the benefit directly to the Company; and
 - b) in the event that the employee resigns from employment with the Company at any time during or at the end of Maternity/Adoptive/Paternity Leave or Additional Maternity/Adoptive Leave, or within 12 months of returning to work following any such leave, to refund to the Company the difference in money between the full gross remuneration paid to the employee during the Maternity/Adoptive/Paternity Leave (less any statutory and agreed deductions) and the Department of Social Protection Maternity/Adoptive/Paternity benefit.

Paternity Leave Policy – Sample 3



6.9.8. Maternity/Adoptive/Paternity Leave Pay contd

An employee who has less than 12 month's continuous service with the Company prior to the expected date of commencement of Maternity/Adoptive/Paternity Leave will not receive any salary payments. No salary payment is made during Additional Maternity/Adoptive Leave (additional 16 weeks) for any employee.

6.9.9. Entitlement to Annual Leave and Public Holidays

During Maternity/Adoptive/Paternity Leave, Additional Maternity/Adoptive Leave, time off for ante or pre-natal care visits, or pre adoptive meetings, annual leave and public holidays accrue as normal. Unless the Line Manager consents otherwise, any such leave/public holiday entitlements accumulated should be taken before a return to work.

6.9.10. Pension Arrangements

During any period of Maternity/Adoptive/Paternity Leave and any period of Additional Maternity/Adoptive Leave (in each case whether paid or unpaid) pensionable service and pension benefits accrue as normal.

6.9.11. All other benefits

- **Car Benefit or VHI Contributions:** Where an employee has the use of a company car, or is entitled to have VHI contributions paid on their behalf, these benefits will remain in place during any period of Maternity / Adoptive or Paternity Leave (including Additional Leave).
- **Car allowances:** Where a car allowance is payable, this will be paid during Maternity/Adoptive/Paternity Leave, but will be suspended for the duration of Additional Maternity/Adoptive Leave.
- **Mobile Phones:** Where a mobile phone is provided to an employee this may remain in the possession of the employee, however employees should be mindful of the Company policy in relation to personal use. The Company reserves the right to make salary adjustments in line with this policy depending on the content of such mobile phone bills
- **Any other deductions from salary:** For the duration of Additional Maternity/Adoptive/Leave:
- **VHI group scheme subscriptions:** Where an employee is paying via payroll deduction for VHI they will be advised that the Company will pay these amounts on their behalf during a period of unpaid Maternity/Adoptive/Paternity Leave (including Additional Leave) and will deduct such payments in full from any holiday pay, salary, or any other such remuneration due to the employee on their return to work.
- **All other deductions:** For the duration of the Additional Maternity/Adoptive Leave, where an employee is paying via payroll for other items such as additional voluntary contributions, travel tickets, bike to work scheme, etc., they will be advised to suspend, cancel or make arrangements to have these paid via an alternative method.
- **Remote Access:** Access to the Company's e mail system via Blackberry or remote access devices will be suspended for the duration of the protective leave, unless otherwise approved by a Senior Executive.

Paternity Leave Policy – Sample 3



6.10. Keeping in contact

In the case of Maternity/Adoptive Leave, the Line Manager should discuss the extent to which an employee wishes to be kept up to date during leave. Typically, job vacancies, newsletters, or Company announcements may be circulated by email.

6.11. Return to work

In the case of Maternity/Adoptive Leave an employee is entitled to return to work as set out in section 3.1 b. above. The Line Manager should contact the employee in advance of their return to work and at least 4 weeks before their return to work date to discuss plans to support them for their return to work.

6.12. Not returning to Work

An employee, who decides not to return to work after a period of leave, is required to give notice of termination of employment as set out in their contract of employment. In such a case there may be a liability to repay salary under Section 6.9.8 above if this was paid during a period of leave.

7. BREACH OF POLICY

Breach of this policy may be dealt with in accordance with the Company Disciplinary Procedures and disciplinary action up to and including dismissal may be taken. In particular the Company reserves the right to refuse Maternity/Adoptive/Paternity Leave pay under Section 6.9.2 above to employees where there is an abuse or breach of this policy.

Employees should note that failure to comply with this policy, in particular sections 6.6, or 6.7 (notification to the Company when taking leave or time off) could impact the employee's entitlement to leave or time off and protected status under the Acts.