



MOWBRAY
Education Trust

Family Leave Policy and Procedure

Maternity, Paternity, Adoption, Parental and Shared Parental
Leave

June 2022

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CONTENTS	Page
Section A: General Introduction	
1. Introduction	5
2. Scope of Policy	5
3. Monitoring and Review	5
4. Definitions	5-6
Section B: Maternity Leave and Pay	
1. Introduction	7
2. Notification	7
3. Time off for ante-natal care	7
4. Sickness	7-8
5. Health and Safety	8
6. Entitlement to Maternity Leave	8
7. Starting Maternity Leave	8-9
8. Statutory Maternity Pay	9-10
9. Contractual Maternity Pay	10-11
10. Terms and Conditions of OML and AML	11
11. Annual Leave	12
12. Pensions	12-13
13. Keeping In Touch	13
14. Expected Return	13
15. Returning Early	13-14
16. Returning Late	14
17. Deciding not to return	14
18. Rights when returning	14
19. Requests to change working pattern	14
20. Shared Parental Leave	15
Section C: Paternity Leave and Pay	
1. Introduction	16
2. Time off to attend ante-natal care	16
3. Entitlement to paternity leave	16-17
4. Maternity Support Leave timing and eligibility	17
5. Ordinary Paternity Leave (OPL) timing and eligibility	17-18
6. Notification of Maternity Support Leave or OPL	18
7. Changing dates of OPL	18-19
8. Statutory Paternity Pay	19
9. Terms and conditions during maternity support leave OPL	19
10. Annual Leave	19-20
11. Pensions	20
12. Returning to Work	20-21
13. Requests to change working pattern	21
14. Deciding not to return	21
Section D: Adoption Leave and Pay	

1. Introduction	22
2. Entitlement to Adoption Leave	22-23
3. Time off for Adoption Appointments	23
4. Notification	23
5. Overseas Adoption	23
6. Starting Adoption Leave	24
7. Statutory Adoption Leave	24
8. Terms and Conditions during OAL and AAL	25
9. Annual Leave	25
10. Pensions	26
11. Disrupted Adoption Leave	26
12. Keeping in Touch	26
13. Expected Return Date	27
14. Returning Early	27
15. Returning Late	27
16. Deciding not to return	27
17. Your rights when you return	27-28
18. Request to change working pattern	28
19. Shared Parental Leave	28

Section E: Parental Leave

1. Introduction	29
2. Entitlement to Parental Leave	29
3. Timing of Parental Leave	29
4. Notification	30
5. Evidential requirements	30
6. Our right to postpone Parental Leave	30-31
7. Terms and Conditions during Parental Leave	31
8. Pensions	31
9. Returning to Work	32
10. Abuse of this Policy	32

Section F: Shared Parental Leave

1. Introduction	33
2. What is Shared Parental Leave (SPL)	33
3. Entitlement to SPL when child is born	33-34
4. Entitlement to SPL when child is adopted	34-35
5. Opting in to SPL and Pay	35-36
6. Ending Maternity and Adoption Leave	36
7. Ending Mother's Maternity Leave or Partner's Adoption Leave	37
8. Evidence of Entitlement	37
9. Notifying of SPL dates	37-38
10. Procedure for requesting split periods of SPL	38
11. Changing Dates or Cancelling SPL	38-39
12. SPL Pay	39
13. Other terms during SPL	39
14. Keeping in Touch	40
15. Returning to Work	40

Section G: Shared Parental Bereavement Leave

1. Introduction	41
2. Entitlement to SPBP	41

Appendices:	42-74
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Appendix 1:	Teaching and Support Staff Maternity Leave Application Form
Appendix 2:	Teaching and Support Staff Paternity Leave Application Form
Appendix 3:	Teaching and Support Staff Adoption Leave Application Form
Appendix 4:	Teaching and Support Staff Parental Leave Application Form
Appendix 5:	Teaching and Support Staff Shared Parental Leave Application Form
Appendix 6:	Teaching and Support Staff Shared Parental Leave Application Form (Adoption)

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Section A: General introduction

1. Introduction

This policy sets out statutory and contractual rights in relation to maternity, paternity, adoption, parental leave and shared parental leave for employees at Mowbray Education Trust. It covers rights and responsibilities, arrangements for leave and pay, and provisions for return to work. This policy reflects our commitment to providing equality of opportunity in employment and to developing work practices and policies that support work-life balance. No-one will be discriminated against, be subject to detriment or lose career development opportunities by taking leave under this policy.

2. Scope of the policy

This policy applies to all employees of the Mowbray Education Trust. The policy does not apply to agency workers, consultants or the self-employed.

Monitoring and review of the policy

This policy is reviewed and amended annually by Mowbray Education Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively. This policy applies to all employees of the Mowbray Education Trust. The policy does not apply to agency workers, consultants or the self-employed.

Definitions

The following definitions apply in this policy:

Expected Week of Childbirth	the week starting on a Sunday in which your doctor or midwife expects you (or your spouse, civil partner or partner) to give birth
Qualifying Week	the fifteenth week before the Expected Week of Childbirth, or the week in which you are notified in writing by an adoption agency of having been matched with a child
Intended Start Date	the date on which you would like to start your maternity, paternity or adoption leave
Expected Return Date	the date we will expect you to return to work if you take your full entitlement to maternity leave or adoption leave
Relevant Period	an eight-week period ending with the Qualifying Week in birth cases, or the eight week period ending with the week in which you or your spouse, civil partner or partner were notified of being matched with a child in adoption cases
Ordinary Maternity Leave (OML)	a period of 26 weeks' leave available to all employees who qualify for maternity leave
Additional Maternity Leave (AML)	a further period of up to 26 weeks' leave immediately following OML
Partner	someone (whether of a different sex or the same sex) with whom you live in an enduring family relationship, but who is not your parent, grandparent, sister, brother, aunt or uncle, niece or nephew
Parent	one of two people (whether of a different sex or the same sex) who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father)
Expected Placement Date	the date on which an adoption agency expects that it will place a child into your care with a view to adoption
Ordinary Adoption Leave (OAL)	a period of up to 26 weeks' leave available to all employees who qualify for adoption leave
Additional Adoption Leave (AAL)	a further period of up to 26 weeks' leave immediately following OAL
Shared Parental Leave (SHPL)	A period of leave that can be shared amongst the carers of a child for maternity and adoption leave

Section B: Maternity leave and pay

1. Introduction

This section outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth.

2. Notification

You must inform us as soon as possible that you are pregnant. This is important as there may be health and safety issues.

Before the end of the Qualifying Week, or as soon as reasonably practical afterwards, you must tell your Head Teacher or manager in writing:

- That you are pregnant
- The Expected Week of Childbirth
- The date on which you would like to start your maternity leave (Intended Start Date)
- You must also provide a certificate from a doctor or midwife (usually on a MAT B1 form) confirming your Expected Week of Childbirth (this is not available before the 20th week of pregnancy and is usually provided around the 26th week of pregnancy). This information should be submitted on a Maternity Application Form which can be found at Appendix 1.

3. Time off for ante-natal care

If you are pregnant you may take reasonable paid time off during working hours for ante-natal care. This may include any relaxation or parenting classes that your doctor, midwife or health visitor has advised you to attend. You should try to give us as much notice as possible of the appointment and wherever possible, try to arrange them as near to the start or end of the working day.

4. Sickness

Periods of pregnancy-related sickness absence shall be paid in accordance with your contract of employment in the same manner as any other sickness absence.

Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions.

If you are absent due to sickness for a pregnancy-related reason during the four weeks before your Expected Week of Childbirth, your maternity leave will start automatically (see paragraph 6, Starting maternity leave).

5. Health and safety

We have a general duty to take care of the health and safety of all employees. We are also required to carry out a risk assessment to identify and assess the workplace risks to women who are pregnant, have given birth within the last six months or are still breastfeeding.

We will provide you with information as to any risks identified in the risk assessment, and any preventive and protective measures that have been or will be taken. If we consider that, as a new or expectant mother, you would be exposed to health hazards in carrying out your normal duties we will take reasonable steps necessary (for as long as necessary) to avoid those risks. This may involve:

- Changing your working conditions or hours of work;
- Offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable; or
- Suspending you from duties, which will be on full pay unless you have unreasonably refused suitable alternative work.

6. Entitlement to maternity leave

All employees, regardless of hours worked or length of service, are entitled to up to 52 weeks' maternity leave which is divided into:

- Ordinary maternity leave of 26 weeks (OML)
- Additional maternity leave of a further 26 weeks immediately following OML (AML)

7. Starting maternity leave

The earliest date you can start maternity leave is 11 weeks' before the Expected Week of Childbirth (unless your child is born prematurely before that date). Maternity leave can commence on any day of the week.

You must notify your Head Teacher or manager in writing of your Intended Start Date before the end of the Qualifying Week (in accordance with paragraph 2.2). We will then write to you within 28 days to inform you of the date we will expect you to return to work if you take your full entitlement to maternity leave (Expected Return Date).

You can postpone your Intended Start Date by informing us in writing at least 28 days before the original Intended Start Date, or if that is not possible, as soon as reasonably practicable.

You can bring forward the Intended Start Date by informing us at least 28 days before the new start date, or if that is not possible, as soon as reasonably practicable.

Maternity leave shall start earlier if:

- Your Intended Start Date has been agreed as earlier (if notified to us in accordance with this policy); or
- The day after any pregnancy related absences during the four weeks before the Expected Week of Childbirth; or
- The day after you give birth.

If you give birth before your maternity leave was due to start, you must let your Head Teacher or manager know the date of the birth in writing as soon as possible.

The law prohibits you from working during the two weeks following childbirth. Shortly before your maternity leave starts, you and your line manager will discuss the arrangements for covering your work and how you will remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events for the Academy in which you work.

8. Statutory Maternity pay

Statutory maternity pay (SMP) is payable for up to 39 weeks. SMP will stop being payable if you return to work (except where you are simply keeping in touch in accordance with paragraph 12). You are entitled to SMP if:

- You have been continuously employed for at least 26 weeks at the end of the Qualifying Week (15 weeks prior to your estimated week of childbirth) and are still employed by us during that week;
- Your average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the Government;
- You provide us with a doctor's or midwife's certificate (MAT B1 form) stating your Expected Week of Childbirth;

- You give at least 28 days' notice (or, if that is not possible, as much notice as you can) of your intention to take maternity leave; and
You are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.

SMP is calculated as follows:

Weeks 1 - 6	90% of your average weekly earnings, calculated over the Relevant Period. This is called the Earnings-Related Rate.
Weeks 7 - 39	The Prescribed Rate which is set by the Government for the relevant tax year, or the Earnings-Related Rate (90% of your average weekly earnings) if this is lower.

SMP accrues from the day on which you commence your OML and thereafter at the end of each complete week of absence. SMP payments shall be made on the next normal payroll date and income tax, National Insurance and pension contributions shall be deducted as appropriate.

You shall still be eligible for SMP if you leave employment for any reason after the start of the Qualifying Week (for example, if you resign or are made redundant). In such cases, if your maternity leave has not already begun, SMP shall start to accrue in whichever is the later of:

- a. The week following the week in which employment ends; or
- b. The eleventh week before the Expected Week of Childbirth.

If you become eligible for a pay rise before the end of your maternity leave, you will be treated for SMP purposes as if the pay rise had applied throughout the Relevant Period. This means that your SMP will be recalculated and increased retrospectively, or that you may qualify for SMP if you did not previously qualify. We shall pay you a lump sum to make up the difference between any SMP already paid and the amount payable by virtue of the pay rise. Any future SMP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

9. Contractual Maternity pay

Teachers

Teaching staff with at least twelve months continuous service at the 11th week before the EWC, will be entitled to receive contractual maternity pay as follows, in addition to payments set out in 7:

Weeks 1 - 4	Full pay (offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP)
Weeks 5 - 6	90 % of salary (offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP)
Weeks 7 - 18	50% of salary plus any Prescribed Rate SMP to which you are entitled, paid without deduction except by the extent to which the combined pay and SMP exceeds full pay.

You must return to your job for at least 13 weeks as a qualifying condition to receive this contractual maternity pay. If you do not return to work for the 13-week period, you will be required to refund the amount paid to you for this period.

If you request to reduce your hours on your return and your request is agreed, this 13-week period will be extended to equate to 13 weeks of service based on the number of hours you worked prior to your reduction in hours.

Support staff

Support staff with twelve months continuous service at the 11th week before the EWC, will be entitled to receive contractual maternity pay as follows, in addition to payments set out in section 7:

Weeks 1 - 6	90% of salary (offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP)
Weeks 7 - 18	50% of salary plus any Prescribed Rate SMP to which you are entitled, paid without deduction except by the extent to which the combined pay and SMP exceeds full pay.

You must return to your job for at least 3 months as a qualifying condition to receive this contractual maternity pay. If you do not return to work for the 3-month period, you will be required to refund the amount paid to you for this period.

If you request to reduce your hours on your return and your request is agreed, this 3-month period will be extended to equate to 3 months of service based on the number of hours you worked prior to your reduction in hours.

10 Terms and conditions during OML and AML

All the terms and conditions of your employment remain in force during OML and AML, except for the terms relating to pay. In particular:

- a. Benefits in kind such as life insurance and health insurance shall continue;
- b. Annual leave entitlement under your contract shall continue to accrue where applicable (see paragraph 10, Annual leave); and
- c. Pension benefits shall continue (see paragraph 11, Pensions).

11 Annual leave

All staff continue to accrue annual leave during maternity leave at the rate provided under your contract of employment.

Teachers

The salary calculation for teaching staff includes proportionate annual leave entitlement and there is no entitlement to annual leave except during school closure periods.

Your accrued annual leave entitlement will be offset by any period of school closure that occurs in the leave year before and after your maternity leave. Usually, there will be sufficient time within the school closure periods to accommodate the outstanding annual leave entitlement that you have accrued during the maternity leave period. However, on the rare occasions that there are insufficient school closure periods to accommodate your outstanding annual leave entitlement, you will be entitled to take any remaining leave during term time at a time mutually agreed with your Head Teacher.

Support staff - term time only/term time plus

The salary calculation for support staff contracted to work term time only or term time plus additional working weeks, includes proportionate annual leave entitlement and there is no entitlement to annual leave except during school closure periods.

Your accrued annual leave entitlement will be offset by any period of school closure that occurs in the leave year before and after your maternity leave. Usually, there will be sufficient time within the school closure periods to accommodate the outstanding annual leave entitlement that you have accrued during the maternity leave period. However, on the rare occasions that there are insufficient school closure periods to accommodate your outstanding annual leave entitlement, you will be entitled to take any remaining leave during term time at a time mutually agreed with your Head Teacher.

Support staff - full working year

Annual leave cannot usually be carried over from one holiday year to the next. If the holiday year is due to end during your maternity leave, you should ensure that you have taken the full year's entitlement before starting your maternity leave. Our holiday year runs from 1st September to 31st August each year.

12 Pensions

During OML and any further period of paid maternity leave we shall continue to make any employer pension contributions that we usually make, based on the pay you are receiving whilst absent. If you wish to increase your contributions to make up any shortfall from those based on your normal salary then please contact the Pensions Administrator directly.

For teaching staff this will be Teachers' Pensions on 0345 6066166 and for support staff, this will be the Leicestershire Local Government Pension Scheme on 0116 305 7886.

During any period of unpaid maternity leave, we shall not make any employer pension contributions and the period shall not count as pensionable service. If you are a member of support staff, you may if you wish make up any contributions for the unpaid period. If you choose not to, you will not build up any membership for this period, and this will affect your pension benefits. If you are a member of teaching staff, you do not have the option of paying contributions during any period of unpaid maternity leave, but you can purchase additional pension on top of your normal contributions in multiples of £250 up to a maximum set by Teachers' Pensions.

13 Keeping in touch

We may make reasonable contact with you from time to time during your maternity leave.

You may work (including attending training) for up to ten days during ordinary or additional maternity leave without bringing your maternity leave or SMP to an end. These are known as Keeping in Touch (KIT) days. The arrangements, including pay, would be set by agreement with your line manager.

Any work you do as a KIT day, even as little as an hour for example, will be counted as a whole KIT day. They can be taken as single days, consecutive days or in blocks. Once you have used up your ten KIT days, if you do any further work you will lose a week's SMP for the week in which you have done that work.

KIT days are by agreement. You are not obliged to undertake any such work during maternity leave. Equally we may refuse a request from you for you to work a KIT day.

Shortly before you are due to return to work, we may invite you to have a discussion (whether in person or by telephone) about the arrangements for your return. This could be one of your KIT days. This may cover:

Updating you on any changes that have occurred during your absence;

- a. Any training needs you might have; and
- b. Any changes to working arrangements (for example if you have made a request to work part-time)

14 Expected return date

Once you have notified us in writing of your Intended Start Date, we shall send you a letter within 28 days to inform you of your Expected Return Date. If your start date has been changed (either because you gave us notice to change it, or because maternity leave started early due to illness or premature childbirth) we shall write to you within 28 days of the start of maternity leave with a revised Expected Return Date.

We will expect you back at work on your Expected Return Date unless you tell us otherwise. It will help us if, during your maternity leave, you are able to confirm that you will be returning to work as expected.

15 Returning early

If you wish to return to work earlier than the Expected Return Date, you must give us 21 days prior notice in writing. If not enough notice is given, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

16 Returning late

If you wish to return later than the Expected Return Date, you may request unpaid parental leave in accordance with section E, 'Parental Leave', giving us as much notice as possible but not less than [21 days].

Alternatively, staff who have annual leave entitlement remaining (where applicable) may request paid annual leave in accordance with your contract, which will be at our discretion.

If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply.

In any other case, late return will be treated as unauthorised absence.

17 Deciding not to return

If you do not intend to return to work, or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract. The amount of maternity leave left to run when you give notice must be at least equal to your contractual notice period; otherwise we may require you to return to work for the remainder of the notice period.

Once you have given notice that you will not be returning to work, you cannot change your mind without our agreement.

This does not affect your right to receive SMP.

18 Your rights when you return

You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been had you not been absent.

However, if you have taken any period of AML or more than four weeks' parental leave, and it is not reasonably practicable for us to allow you to return into the same position; we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

19 Requests to change your working pattern

We will deal with any requests by employees to change their working patterns (such as working part-time) after maternity leave on a case-by-case basis. There is no right to insist on working part-time, but you do have a statutory right to request flexible working. We will consider your request in accordance with the provisions of this statutory right, bearing in mind the needs of our organisation. It is helpful if requests are made as early as possible. The procedure for dealing with such requests is set out in our Flexible Working Policy.

20 Shared parental leave

An employee may choose to curtail their maternity leave and take shared parental leave. Section F, in this policy, sets out the terms of Shared Parental Leave.

Section C: Paternity leave and pay

1 Introduction

This section sets out employees' entitlement to accompany a pregnant woman to appointments to receive ante-natal care, paternity leave and pay.

2 Time off to accompany for antenatal care

Employees are entitled to take unpaid time off during your working hours to accompany a pregnant woman to up to two appointments to receive antenatal care, lasting no more than 6 and a half hours each, if you:

1. Are the biological father of the child; or
2. Are the spouse or civil partner of the child's mother;
3. Live with the child's mother in an enduring family relationship and are not a relative; or
4. Are to be treated as a parent of an expected child by fertility treatment (under the assisted reproduction provisions of the Human Fertilisation and Embryology Act (HEFA) 2008); or
5. Are a potential applicant for a parental order where a child has been conceived using the sperm or egg of your spouse, civil partner or partner and has been carried by a surrogate mother (under the HEFA 2008).

Agency workers who have completed their 12-week qualifying period in the same role, with no breaks during or between assignments and who meet the criteria at 2.1 have the same right to accompany.

The appointments may include any relaxation or parenting classes but must have been made on the advice of the pregnant woman's doctor, midwife or health visitor.

If you are eligible and wish to take time off for this purpose, you must provide us with a signed written statement confirming:

- a. That you have a qualifying relationship with a pregnant woman or her expected child
- b. That you wish to take time off to accompany the pregnant woman to an appointment to receive antenatal care which has been made on the advice of their doctor, midwife or health visitor
- c. The date and time of the appointment

You should try to give us as much notice as possible of the appointment and wherever possible, try to arrange them as near to the start or end of the working day.

3 Entitlement to paternity leave

Certain employees can take paternity leave in relation to the birth or adoption of a child. Both men and women can request paternity leave. However, in adoption cases paternity

leave is not available to an employee who also decides to take adoption leave. Further details of adoption leave are set out in section D, Adoption Leave and Pay.

4 Maternity support leave - timing and eligibility

Maternity support leave is up to one week with full pay and must be taken as one period at a time mutually agreed by you and your Head Teacher.

Maternity support leave can be taken from the date of the child's birth or adoption placement, but must end:

- a. In birth cases, within 56 days' of the child's birth, or if they were born before the first day of the Expected week of Childbirth, within 56 days' of the first day of the Expected Week of Childbirth.
- b. In adoption cases, within 56 days' of the child's placement.

You may combine maternity support leave with up to one additional week of ordinary paternity leave (if eligible) to give a total of two weeks' paternity leave, but these must be taken as consecutive weeks.

Maternity support leave is only available if you are a member of support staff who is covered by the National Joint Council (NJC) Conditions of Service and you are either:

- a. The child's father
- b. The partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of birth.

Maternity support leave is available to both men and women. Teachers are not eligible for maternity support leave.

5 Ordinary paternity leave - timing and eligibility

OPL must be taken as a period of either one week or two consecutive weeks. It cannot be taken in instalments.

OPL can be taken from the date of the child's birth or adoption placement, but must end:

- a. In birth cases, within 56 days' of the child's birth, or if they were born before the first day of the Expected week of Childbirth, within 56 days' of the first day of the Expected Week of Childbirth.
- b. In adoption cases, within 56 days' of the child's placement.

You are entitled to ordinary paternity leave (OPL) if you meet all the following conditions:

You have been continuously employed by us for at least 26 weeks' ending with:

- 1 In birth cases, the 15th week before the Expected Week of Childbirth.
- 2 In adoption cases, the week in which you or your partner are notified by an adoption agency that you/they have been matched with a child.

You:

- a. Are the biological father of the child;
- b. Have been matched with a child by an adoption agency;

- c. Are the spouse, civil partner or partner of the child's mother; or
- d. Are the spouse, civil partner or partner of someone who has been matched with a child by an adoption agency.

You

- a. Expect to have main responsibility (with the child's mother, co-adopter or adopter) for the child's upbringing; or
- b. Are the child's biological father and you expecting to have some responsibility for the child's upbringing.
- c. Are taking leave for the purpose of caring for the child, or supporting the child's mother, adopter or co-adopter in caring for the child.

6 Notification of maternity support leave or OPL

If you are eligible and wish to take OPL or maternity support leave in relation to a child's birth or the adoption of a child, you must give us notice in writing of your intention to do so by the end of the Qualifying Week, or if this is not possible, as soon as you can.

You must confirm:

- a. The Expected Week of Childbirth, or the date on which you and your partner were notified of having been matched with the child, together with the Expected Placement Date;
- b. Whether you intend to take one week's leave or two consecutive weeks' leave;
- c. Whether this will be OPL, maternity support leave or a combination of OPL and maternity support leave
- d. When you would like to start your leave. You can state that your leave will start on:
 - i. The day of the child's birth or the day on which the child is placed with you or the adopter
 - ii. A day which is a specified number of days after the child's birth or placement; or
 - iii. A specific date later than the first date of the Expected Week of Childbirth or the Expected Placement Date

We may require a signed declaration from you that you are taking OPL or maternity support leave to care for the child or to support the child's mother or your partner in caring for the child.

7 Changing the dates of OPL

Where you are to take OPL in respect of a child's birth or adoption, you can give us written notice to vary the start date of your leave from that which you originally specified in the notice given under paragraph 9. This notice should be given:

- a. Where you wish to vary your leave to start on the day of the child's birth/placement, at least 28 days' before the first day of the Expected Week of Childbirth/Expected Placement Date.
- b. Where you wish to vary your leave to start a specified number of days after the child's birth/placement, at least 28 days' (minus the specified number of days) before the first day of the Expected Week of Childbirth/Expected Placement Date.
- c. Where you wish to vary your leave to start on a specific date (or a different date from that you originally specified), at least 28 days' before that date.

8 Statutory Paternity Pay

If you take OPL in accordance with this policy, you will be entitled to ordinary statutory paternity pay (OSPP) if, during the Relevant Period, your average weekly earnings are not less than the lower earnings limit set by the government.

OSPP is paid at a prescribed rate which is set by the government for the relevant tax year, or at 90% of your average weekly earnings calculated over the Relevant Period if this is lower. For details of the current prescribed rate, please visit www.gov.uk/paternity-pay-leave or contact the office.

9 Terms and conditions during maternity support leave, OPL

All the terms and conditions of your employment remain in force, except for the terms relating to pay during OPL. In particular:

- a. Benefits in kind such as life insurance and health insurance shall continue;
- b. Annual leave entitlement under your contract shall continue to accrue where applicable (see paragraph 11, Annual leave); and
- c. Pension benefits shall continue (see paragraph 12, Pensions).

10 Annual leave

All staff continue to accrue annual leave during paternity leave at the rate provided under your contract of employment.

Teachers

The salary calculation for teaching staff includes proportionate annual leave entitlement and there is no entitlement to annual leave except during school closure periods.

Your accrued annual leave entitlement will be offset by any period of school closure that occurs in the leave year before and after your paternity leave. Usually, there will be sufficient time within the school closure periods to accommodate the outstanding annual leave entitlement that you have accrued during the paternity leave period. However, on the rare occasions that there are insufficient school closure periods to accommodate your outstanding annual leave entitlement; you will be entitled to take any remaining leave during term time at a time mutually agreed with your Head Teacher.

Support staff - term time only/term time plus

The salary calculation for support staff contracted to work term time only or term time plus additional working weeks, includes proportionate annual leave entitlement and there is no entitlement to annual leave except during school closure periods.

Your accrued annual leave entitlement will be offset by any period of school closure that occurs in the leave year before and after your paternity leave. Usually, there will be sufficient time within the school closure periods to accommodate the outstanding annual leave entitlement that you have accrued during the paternity leave period. However, on the rare occasions that there are insufficient school closure periods to accommodate your outstanding annual leave entitlement; you will be entitled to take any remaining leave during term time at a time mutually agreed with your Head Teacher.

Support staff - full working year

Annual leave cannot usually be carried over from one holiday year to the next. If the holiday year is due to end during your paternity leave, you should ensure that you have taken the full year's entitlement before starting your paternity leave.

Our holiday year runs from 1st September to 31st August each year.

11 Pensions

During any period of paid paternity leave we shall continue to make any employer pension contributions that we usually make, based on the pay you are receiving whilst absent. If you wish to increase your contributions to make up any shortfall from those based on your normal salary then please contact the Pensions Administrator directly. For teaching staff this will be Teachers' Pensions on 0345 6066166 and for support staff, this will be Leicestershire Local Government Pension Scheme on 01163057886.

During any period of unpaid paternity leave, we shall not make any employer pension contributions and the period shall not count as pensionable service. If you are a member of support staff, you may if you wish make up any contributions for the unpaid period. If you choose not to, you will not build up any membership for this period, and this will affect your pension benefits. If you are a member of teaching staff, you do not have the option of paying contributions during any period of unpaid paternity leave, but you can purchase additional pension on top of your normal contributions in multiples of £250 up to a maximum set by Teachers' Pensions.

12 Returning to work

You are normally entitled to return to work following maternity support leave, or OPL to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

However, if you have combined your OPL with a period of:

- a. Additional maternity leave;
- b. Additional adoption leave; or
- c. Parental leave of more than four weeks,

and it is not reasonably practicable for you to return to the same job, we will offer you a suitable and appropriate alternative position.

13 Requests to change your working pattern

We will deal with any requests by employees to change their working patterns (such as working part-time) after paternity leave on a case-by-case basis, in accordance with our Flexible Working Policy. We will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the business. It is helpful if requests are made as early as possible.

14 Deciding not to return

If you do not intend to return to work or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should submit your resignation in accordance with your contract. Once you have done so you will be unable to change your mind without our agreement. This does not affect your right to receive SPP.

Section D: Adoption leave and pay

1 Introduction

This section outlines the statutory rights and responsibilities of employees who adopt.

2 Entitlement to adoption leave

Adoption leave is only available if you are adopting through a UK or overseas adoption agency (for overseas adoptions see paragraph 5). It is not available if there is no agency involved, for example, if you are formally adopting a stepchild or other relative.

You are entitled to adoption leave if you meet all the following conditions:

- a. An adoption agency has given you written notice that it has matched you with a child for adoption and tells you the Expected Placement Date.
- b. You have notified the agency that you agree to the child being placed with you on the Expected Placement Date.
- c. You have been continuously employed by us for at least 26 weeks' ending with the Qualifying Week.
- d. Your spouse or partner will not be taking adoption leave with their employer (although they may be entitled to take paternity leave).

3 Time off for adoption appointments

Employees are entitled to take time off during your working hours to attend adoption appointments that take place after an adoption agency has notified you that a child is, or is expected to be placed with you, for adoption. These appointments must be made by an adoption agency:

- a. So that you can have contact with that child; or
- b. For any other purpose connected with that adoption.

Agency workers who have completed their 12-week qualifying period in the same role, with no breaks during or between assignments and who meet the criteria at 3.1 have the same right to attend.

You are entitled to paid time off to attend up to five appointments, lasting no more than 6 and a half hours each during working hours if you are:

- a. Adopting on your own; or
- b. Adopting as part of a couple and have been elected as the main adopter

You will be entitled to unpaid time off to attend up to two appointments, lasting no more than 6 and a half hours each during working hours if you are adopting a child as part of a couple and have not been elected as the main adopter.

If you are eligible and wish to take time off for this purpose, you must provide us with a signed "employee declaration" confirming:

- a. That you wish to take time off to attend an adoption appointment that has been made by or at the request of the adoption agency; and
- b. The date and time of the appointment; and

- c. If you are part of a couple adopting and have been elected as the main adopter, confirmation that you are electing to take paid time off

You should try to give us as much notice as possible of the appointment and wherever possible, try to arrange them as near to the start or end of the working day.

4 Notification of intention to take leave

You must give us notice in writing of:

- a. The Expected Placement Date; and
- b. Your intended start date for adoption leave (Intended Start Date) (see paragraph 5).

This notice should be given not more than seven days after the agency notified you in writing that it has matched you with a child.

At least 28 days' before your Intended Start Date (or, if this is not possible, as soon as you can), you must also provide us with:

- a. A Matching Certificate from the adoption agency confirming:
- b. The agency's name and address;
- c. The date you were notified of the match;
- d. The Expected Placement Date; and
- e. Written confirmation that you intend to take statutory adoption leave and not statutory paternity leave.

5 Overseas adoptions

If you are adopting a child from overseas, the following will apply:

- a. You must have received notification that the adoption has been approved by the relevant UK authority (Official Notification).
- b. You must give us notice in writing of:
 - a. Your intention to take adoption leave;
 - b. The date you received Official Notification; and
 - c. The date the child is expected to arrive in Great Britain.

This notice should be given as early as possible but in any case within 28 days' of receiving Official Notification (or, if you have less than 26 weeks' employment with us at the date of Official Notification, within 30 weeks' of starting employment).

You must also give us at least 28 days' notice in writing of your Intended Start Date. This can be the date the child arrives in Great Britain or a predetermined date no more than 28 days after the child's arrival in Great Britain.

You must also notify us of the date the child arrives in Great Britain within 28 days of that date.

We may also ask for a copy of the Official Notification and evidence of the date the child arrived in Great Britain.

6 Starting adoption leave

OAL may start on a predetermined date no more than 14 days before the Expected Placement Date, or on the date of placement itself, but no later.

You must notify us of your Intended Start Date in accordance with paragraph 3. We will then write to you within 28 days to inform you of the date we will expect you to return to work if you take your full entitlement to adoption leave (Expected Return Date).

You can postpone your Intended Start Date by informing us in writing at least 28 days before the original date or, if that is not possible, as soon as you can.

You can bring forward your Intended Start Date by informing us in writing at least 28 days before the new start date or, if that is not possible, as soon as you can.

Shortly before your adoption leave starts we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events.

7 Statutory Adoption Pay

Statutory adoption pay (SAP) is payable for up to 39 weeks. It stops being payable if you return to work sooner or if the placement is disrupted. You are entitled to SAP if:

- a. You have been continuously employed for at least 26 weeks at the end of your Qualifying Week and are still employed by us during that week;
- b. Your average weekly earnings during the eight weeks ending with the Qualifying Week (the RELEVANT PERIOD) are not less than the lower earnings limit set by the Government; and
- c. You have given us the relevant notifications under paragraph 3.

SAP is paid at a Prescribed Rate which is set by the Government for the relevant tax year, or at 90% of your average weekly earnings calculated over the Relevant Period if this is lower.

SAP accrues with each complete week of absence but payments shall be made on the next normal payroll date. Income Tax, National Insurance and pension contributions shall be deducted as appropriate.

If you leave employment for any reason (for example, if you resign or are made redundant) you shall still be eligible for SAP if you have already been notified by an agency that you have been matched with a child. In such cases, SAP shall start:

- a. 14 days before the Expected Placement Date; or
- b. The day after your employment ends,
- c. whichever is the later.

If you become eligible for a pay rise before the end of your adoption leave, you will be treated for SAP purposes as if the pay rise had applied throughout the Relevant Period. This means that your SAP will be recalculated and increased retrospectively, or that you may qualify for SAP if you did not previously qualify. We shall pay you a lump sum to make up the difference between any SAP already paid and the amount payable by virtue of the pay rise. Any future SAP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

8 Terms and conditions during OAL and AAL

All the terms and conditions of your employment remain in force during OAL and AAL, except for the terms relating to pay. In particular:

- a. Benefits in kind such as life insurance and health insurance shall continue;
- b. Annual leave entitlement under your contract shall continue to accrue where applicable (see paragraph 8, Annual leave); and
- c. Pension benefits shall continue (see paragraph 10, Pensions).

9 Annual leave

All staff continue to accrue annual leave during OAL and AAL at the rate provided under your contract of employment.

Teachers

The salary calculation for teaching staff includes proportionate annual leave entitlement and there is no entitlement to annual leave except during school closure periods.

Your accrued annual leave entitlement will be offset by any period of school closure that occurs in the leave year before and after your adoption leave. Usually, there will be sufficient time within the school closure periods to accommodate the outstanding annual leave entitlement that you have accrued during the adoption leave period. However, on the rare occasions that there are insufficient school closure periods to accommodate your outstanding annual leave entitlement; you will be entitled to take any remaining leave during term time at a time mutually agreed with your Head Teacher.

Support staff - term time only/term time plus

The salary calculation for support staff contracted to work term time only or term time plus additional working weeks, includes proportionate annual leave entitlement and there is no entitlement to annual leave except during school closure periods.

Your accrued annual leave entitlement will be offset by any period of school closure that occurs in the leave year before and after your adoption leave. Usually, there will be sufficient time within the school closure periods to accommodate the outstanding annual leave entitlement that you have accrued during the adoption leave period. However, on the rare occasions that there are insufficient school closure periods to accommodate your outstanding annual leave entitlement; you will be entitled to take any remaining leave during term time at a time mutually agreed with your Head Teacher

Support staff - full working year

Annual leave cannot usually be carried over from one holiday year to the next. If the holiday year is due to end during your adoption leave, you should ensure that you have taken the full year's entitlement before starting your paternity leave. Our holiday year runs from 1st September to 31st August each year.

10 Pensions

During OAL and any further period of paid adoption leave we shall continue to make any employer pension contributions that we usually make, based on the pay you are receiving whilst absent. If you wish to increase your contributions to make up any shortfall from those based on your normal salary then please contact the Pensions Administrator directly. For teaching staff this will be Teachers' Pensions on 0345 6066166 and for support staff, this will be Leicestershire Local Government Pension Scheme on 0116 3057886.

During unpaid AAL, we shall not make any employer pension contributions and the period shall not count as pensionable service. If you are a member of support staff, you may if you wish make up any contributions for the unpaid period. If you choose not to, you will not build up any membership for this period, and this will affect your pension benefits. If you are a member of teaching staff, you do not have the option of paying contributions during any period of unpaid AAL, but you can purchase additional pension on top of your normal contributions in multiples of £250 up to a maximum set by Teachers' Pensions.

11 Disrupted adoption

Adoption leave is disrupted if it has started but:

- a. You are notified that the placement will not take place;
- b. The child is returned to the adoption agency after placement; or
- c. The child dies after placement.

In case of disruption your entitlement to adoption leave and pay (if applicable) will continue for a further eight weeks from the end of the week in which disruption occurred, unless your entitlement to leave and/or pay would have ended earlier in the normal course of events.

12 Keeping in touch

We may make reasonable contact with you from time to time during your adoption leave.

You may work (including attending training) on up to ten days during adoption leave without bringing your adoption leave to an end. This is not compulsory and arrangements, including any additional pay, would be discussed and agreed with your Head Teacher.

Shortly before you are due to return to work, we may invite you to have a discussion (whether in person or by telephone) about the arrangements for your return. This may cover:

- a. Updating you on any changes that have occurred during your absence;
- b. Any training needs you might have; and
- c. Any changes to working arrangements (for example, if you have made a request to work part time). See paragraph 17, 'Requests to change your working pattern'

13 Expected Return Date

Once you have notified us in writing of your Intended Start Date, we shall send you a letter within 28 days to inform you of your Expected Return Date. If your start date changes we shall write to you within 28 days of the start of adoption leave with a revised Expected Return Date.

We will expect you back at work on your Expected Return Date unless you tell us otherwise (see paragraphs, 14, 15 and 16). It will help us if, during your adoption leave, you are able to confirm that you will be returning to work as expected.

14 Returning early

If you wish to return to work earlier than the Expected Return Date, you must give us at least eight weeks' notice. It is helpful if you give this notice in writing.

If you do not give enough notice, we may postpone your return date until four weeks (or eight weeks as appropriate) after you gave notice, or to the Expected Return Date if sooner.

15 Returning late

If you wish to return later than the Expected Return Date, you should request unpaid parental leave in accordance with section E, 'Parental Leave' giving us as much notice as possible but not less than 21 days. Alternatively, staff who have annual leave entitlement remaining (where applicable) may request paid annual leave in accordance with your contract, which will be at our discretion.

If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our usual sickness policy will apply.

In any other case, late return will be treated as unauthorised absence.

16 Deciding not to return

If you do not intend to return to work, or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract. The amount of adoption leave left to run when you give notice must be at least equal to your contractual notice period, otherwise we may require you to return to work for the remainder of the notice period.

Once you have given notice that you will not be returning to work, you cannot change your mind without our agreement.

This does not affect your right to receive SAP.

17 Your rights when you return

You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been had you not been absent.

However, if you have taken any period of AAL or more than four weeks' parental leave, and it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

18 Requests to change your working pattern

We will deal with any requests by employees to change their working patterns (such as working part time) after adoption leave on a case-by-case basis. There is no absolute right to insist on working part time, but you do have a statutory right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our business. It is helpful if requests are made as early as possible. The procedure for dealing with such requests is set out in our Flexible Working Policy.

19 Shared parental leave

An employee may choose to end their adoption leave and take shared parental leave. See section F for further details.

Section E: Parental leave

1 Introduction

The law recognises and we respect that there will be occasions when working parents wish to take time off work to care for or spend time with their child or children.

This section of the policy reflects the statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each child.

2 Entitlement to parental leave

Employees who fulfil the criteria set out in this paragraph are entitled to take up to 18 weeks' parental leave in relation to each child for whom they are responsible. The rules on how and when parental leave can be taken are set out in paragraph 3 to paragraph 6.

Any parental leave that employees take in relation to a child while working for another employer counts towards their 18-week entitlement. If you have taken parental leave in relation to a child during previous or concurrent employment, you should provide details to your Head Teacher.

To take a period of parental leave in relation to a child, you must:

- a. Have at least one year's continuous employment;
- b. Have or expect to have responsibility for the child; and
- c. Be taking the leave to spend time with or otherwise care for the child.

You have responsibility for a child if you:

- a. Are the child's biological mother or father (whether or not you are living with the child);
- b. Are the child's adoptive parent; or
- c. Otherwise have legal parental responsibility for the child. For example, if you are the child's guardian.

3 Timing of parental leave

You can only take parental leave:

- a. Before the child's fifth birthday; or
- b. In the case of a child entitled to a disability living allowance, before the child's 18th birthday; or
- c. In the case of an adopted child, before the fifth anniversary of the date of placement or, if sooner, the child's 18th birthday.

You are only entitled to take four weeks' parental leave each year in relation to each child. A year for this purpose begins on the date when you became entitled to take parental leave in relation to the child in question.

Unless the leave is to be taken in respect of a child entitled to a disability living allowance, you can only take parental leave in blocks of a week's leave or a multiple of a week's leave.

4 Notification requirements

You must give your Head Teacher or manager notice of your intention to take parental leave. It would be helpful if you can give this notice in writing. The notice requirements are as follows:

If you wish to take parental leave commencing immediately on the birth of a child, you must give notice of this intention at least 21 days before the start of the expected week of childbirth (EWC). The notice must specify the EWC and the duration of the period of leave required.

If you wish to take parental leave commencing immediately on the adoption of a child, you should give notice of this intention at least 21 days before the start of the expected week of placement (EWP). If this is not possible, you must give as much notice as you can. The notice must specify the EWP and the duration of the period of leave required.

In all other circumstances, you must give notice of your intention to take parental leave at least 21 days before you intend the leave to start. The notice must specify the dates on which the period of leave is to begin and end.

If you wish to take a period of parental leave immediately after a period of ordinary paternity leave, it would be helpful if you could give your Head Teacher notice of that intention at least 21 days before the start of the EWC (or EWP, if applicable). If this is not possible, you should give as much notice as you can. If you do not give notice at least seven days before your period of ordinary paternity leave starts, we might not allow you to take the period of parental leave requested. However, we shall consider each case on its merits.

5 Evidential requirements

Before you take a period of parental leave under this policy, you must provide us with evidence of:

- a. Your responsibility or expected responsibility for the child;
- b. The child's date of birth or date of adoption placement; and
- c. If applicable, the child's entitlement to a disability living allowance.

For details of what evidence is required in your particular circumstances, or if you have difficulties obtaining the evidence, please contact the HR team.

6 Our right to postpone parental leave

Where you give notice in accordance with paragraph 4 of your intention to take parental leave on the birth or adoption of a child, we shall not postpone that leave.

We shall not postpone parental leave if, in the case of an adopted or disabled child, the postponement would result in the leave being taken after the child's 18th birthday.

However, in any other circumstances we might postpone a proposed period of parental leave for up to six months where the leave as planned would unduly disrupt our business. We might do so, for example, where:

- a. You wish to take parental leave during a peak period;
- b. A number of employees wish to take parental leave at the same time;
- c. Your work is of importance to a time-critical project; or
- d. Cover for your work cannot be found before the date on which your parental leave is due to start.

If we decide to postpone your parental leave, we shall:

- a. Consult you about the date to which the leave might be postponed; and
- b. No more than seven days after you gave notice of your intention to take the leave, give you written notice stating the reason for the postponement and the new beginning and end dates of the leave which we will allow you to take.

You will not lose your parental leave entitlement if, because of our postponement of such leave, the leave remains untaken on your child's fifth birthday (or on the fifth anniversary of the child's adoption placement, if applicable).

7 Terms and conditions during parental leave

Parental leave under this policy is unpaid. Your contractual provisions relating to pay and benefits are suspended during parental leave.

However, during parental leave you are entitled to benefit from any contractual terms you have in relation to being given notice, redundancy compensation and disciplinary and grievance procedures.

During parental leave you will remain bound by your obligation of good faith towards us, as well as any contractual terms relating to the giving of notice, the disclosure of confidential information, the acceptance of gifts and benefits, and your freedom to participate in another business (for example, by working for a third party).

8 Pensions

Teaching Staff

During any period of unpaid paternity leave, we shall not make any employer pension contributions and the period shall not count as pensionable service. You do not have the option of paying contributions during any period of unpaid paternity leave, but you can purchase additional pension on top of your normal contributions in multiples of £250 up to a maximum set by Teachers' Pensions.

Support staff

LGPS membership continues to build up during the first 30 days of any period of unpaid leave, including parental leave, as long as you make the pension contributions that you would have paid had you been at work. After the first 30 days, the period will not count as pensionable service. You may if you wish, elect to pay contributions for the period of your absence. If you choose not to, you will not build up any membership for this period, and this will affect your pension benefits.

9 Returning to work

You are normally entitled to return to work following parental leave to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

However, it might not be possible for us to allow you to return to the same job where your period of parental leave has been longer than four weeks, or has been combined with a period of additional maternity, paternity or adoption leave. In such circumstances, we will offer you a suitable and appropriate alternative position.

We will deal with any requests by employees to change their working patterns (such as working part-time) after parental leave on a case-by-case basis, in accordance with our Flexible Working Policy. We will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our business. It is helpful if flexible working requests are made as early as possible.

10 Abuse of this policy

Where an employee takes a period of parental leave under this policy for purposes other than spending time with or otherwise caring for their child, this will be dealt with as a disciplinary issue under our Disciplinary Procedure.

Section F: Shared parental leave and pay

1 Introduction

This section outlines the arrangements for shared parental leave and pay in relation to the birth or adoption of a child.

This section applies to employees. It does not apply to agency workers or self-employed contractors.

2 What is shared parental leave?

Shared parental leave (SPL) is a form of leave available to working parents following the birth or adoption of a child.

SPL allows parents, and partners in certain circumstances (see section 3 below), to take up to 52 weeks leave in total on the birth or adoption of a child. You may be able to take this leave at the same time or at different times. Up to 50 weeks of this leave may be designated as SPL. Assuming you are both eligible, you and your partner can choose how you split that leave between you. You may be able to take this leave at the same time or at different times. You may also be able to take it in more than one block.

SPL must be taken in the first 52 weeks of the child's birth or adoption.

If you choose to take SPL then any period of maternity or adoption leave being taken in respect of the child will end.

3 Entitlement to SPL when a child is born

You are entitled to SPL in relation to the birth of a child if:

- a. you are the child's mother, and share the main responsibility for the care of the child with the child's father (or your partner, if the father is not your partner);
- b. you are the child's father and share the main responsibility for the care of the child with the child's mother; or
- c. you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

The following conditions must also be fulfilled:

- a. you must have at least 26 weeks' continuous employment with us by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
- b. the other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the EWC and had average weekly earnings of at least £30 during 13 of those weeks; and

- c. you and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.

The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave).

If you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth.

If you are the child's father or the mother's partner, you should consider using your two weeks' paternity leave before taking SPL (see section C Paternity leave and pay). Once you start SPL you will lose any untaken paternity leave entitlement. SPL entitlement is additional to your paternity leave entitlement.

4 Entitlement to SPL when a child is adopted

You may be entitled to SPL if an adoption agency has placed a child with you and/or your partner for adoption and you intend to share the main responsibility for the care of the child with your partner.

The following conditions must be fulfilled:

- a. you must have at least 26 weeks continuous employment with us by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
- b. your partner must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the Qualifying Week and had average weekly earnings of at least £30 during 13 of those weeks; and
- c. you and your partner must give the necessary statutory notices and declarations as summarised below, including notice to end adoption leave or statutory adoption pay (SAP).

Either you or your partner must qualify for statutory adoption leave and/or SAP and must take at least two weeks of adoption leave and/or pay.

If your partner is taking adoption leave and/or claiming SAP, you may be entitled to two weeks' paternity leave and pay (see section C Paternity leave and pay). You should consider using this before taking SPL. Paternity leave is additional to any SPL entitlement you may have, but you will lose any untaken paternity leave entitlement once you start a period of SPL.

The total amount of SPL available is 52 weeks, less the weeks of adoption leave taken by either you or partner (or the weeks in which your partner has been in receipt of SAP if they were not entitled to adoption leave).

5 Opting in to shared parental leave and pay

Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice giving the information in 5.2 or 5.3 as appropriate.

When a child is born:

- a. your name and the name of the other parent;
- b. if you are the child's mother, the start and end dates of your maternity leave;
- c. if you are the child's father or the mother's partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any SMP or MA period;
- d. the total SPL available, which is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken;
- e. how much of that will be allocated to you and how much to the other parent. (You can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- f. if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of the SMP or MA period taken or to be taken);
- g. how much of that will be allocated to you and how much to the other parent. (You can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- h. an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
- i. declarations by you and the other parent that you meet the statutory conditions for entitlement to SPL and ShPP.

When a child is adopted:

- a. your name and your partner's name;
- b. if you are taking adoption leave, your adoption leave start and end dates;
- c. if you are not taking adoption leave, your partner's adoption leave start and end dates, or if your partner is not entitled to adoption leave, the start and end dates of their SAP;
- d. the total SPL available, which is 52 weeks minus the number of weeks' adoption leave or SAP taken or to be taken by you or your partner;
- e. how many weeks of the available SPL will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- f. if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of SAP taken or to be taken);

- g. how many weeks of the available ShPP will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- h. an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave (see paragraph c and paragraph 0 for information on taking leave). This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
- i. declarations by you and your partner that you both meet the statutory conditions to enable you to take SPL and ShPP.

6 Ending your maternity or adoption leave

If you choose to take SPL then the maternity or adoption leave that you, your partner or the other parent are taking will come to an end. This is called curtailment.

If you are still on maternity leave or adoption leave, you must give us at least eight weeks' written notice to end your maternity or adoption leave (a curtailment notice) before you can take SPL. The notice must state the date your maternity or adoption leave will end. You can give the notice before or after you give birth or your child is placed, but you cannot end your maternity or adoption leave until at least two weeks after the birth or placement.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme (see clause 5 above) or a written declaration that the child's other parent or your partner has given his or her employer an opt-in notice and that you have given the necessary declarations in that notice.

The curtailment notice is usually binding and cannot be revoked. You can only revoke a curtailment notice if maternity or adoption leave has not yet ended and one of the following applies:

- a) if you realise that neither you nor the other parent are in fact eligible for SPL or ShPP, you can revoke the curtailment notice in writing up to eight weeks after it was given;
- b) (birth only) if you gave the curtailment notice before giving birth, you can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later; or
- c) if the other parent has died.

Once you revoke a curtailment notice you cannot submit a second curtailment notice, unless the revocation was given in the in circumstances above.

7 Ending the mother's maternity leave or your partner's adoption leave

When a child is born, if you are the child's father or the mother's partner, you will only be able to take SPL once the mother has either:

- a. returned to work;
- b. given her employer a curtailment notice to end her maternity leave;
- c. given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
- d. given a curtailment notice to the benefits office to end her MA (if she is not entitled to maternity leave or SMP).

When a child is adopted if your partner is taking adoption leave or claiming SAP from their employer, you will only be able to take SPL once your partner has either:

- a. returned to work;
- b. given their employer a curtailment notice to end adoption leave; or
- c. given their employer a curtailment notice to end SAP (if they are entitled to SAP but not adoption leave).

8 Evidence of entitlement

You must also provide on request:

- a. A copy of the birth certificate (or if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); **OR**
- b. One or more documents from the adoption agency showing the agency's name and address and the expected placement date; **AND**
- c. The name and address of the other parent's employer (or a declaration that they have no employer).

9 Notifying us of your SPL dates

Having opted into the SPL system you will need to give a period of leave notice telling us the start and end dates of your leave. This can be given at the same time as your opt-in notice, or it can be given later, as long as it is given at least eight weeks before the start of your leave. You must also state in your period of leave notice the dates on which you intend to claim shared parental pay, if applicable.

If your period of leave notice gives dates for a single continuous block of SPL you will be entitled to take the leave set out in the notice.

You can give up to three period of leave notices. This may enable you to take up to three separate blocks of shared parental leave. In exceptional circumstances we may agree to accept more than three period of leave notices.

Shared Parental Leave declaration forms for the Employee and Employee's partner can be found at the back of the MET Maternity Booklet available from the staff area of the website.

10 Procedure for requesting split periods of SPL

In general, a period of leave notice should set out a single continuous block of leave. We may, in some cases, be willing to consider a period of leave notice where the SPL is split into shorter periods (of at least a week) with periods of work in between. It is best to discuss this with your Head Teacher in advance of submitting any formal period of leave notices. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

You must submit a period of leave notice setting out the requested pattern of leave at least eight weeks before the requested start date. If we are unable to agree to your request straight away, there will be a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached an agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, you will be entitled to one 12-week period of leave). Alternatively, you may:

- a. choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
- b. withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case it will not be counted and you may submit a new one if you choose).

11 Changing the dates or cancelling your SPL

You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

You can change the dates for a period of leave by giving us at least eight weeks' notice before the original start date and the new start date.

You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date and the new end date.

You can change split periods of leave into a single continuous period of leave by notifying us in writing at least eight weeks before the start date.

You can request that a continuous period of leave be split into two or more discontinuous periods with periods of work in between. We will consider any such request as set out in paragraph 10.

You do not need to give eight weeks' notice if you are changing the dates of your SPL because your child has been born earlier than the EWC, where you wanted to start your SPL a certain length of time (but not more than eight weeks) after birth. In such cases please notify us in writing of the change as soon as you can.

A notice to cancel or change a period of leave will count as one of your three period of leave notices, unless:

- a. the variation is a result of your child being born or placed earlier or later than the EWC or expected placement date;
- b. the variation is at our request; or
- c. we agree otherwise.

12. Shared parental pay

ShPP of up to 39 weeks (less any weeks of SMP or SAP claimed by you or the other parent/eligible partner) may be available provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid at a rate set by the government each year.

13 Other terms during shared parental leave

Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

Annual leave entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. You should try to limit carry over to one week's holiday or less. Carry-over of more than one week is at your manager's discretion. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the HR team that you wish to make up any shortfall.

14 Keeping in touch

We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during maternity leave. KIT days are not compulsory and must be discussed and agreed with Head Teacher.

You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any shared parental pay entitlement. Alternatively, you may agree with your Head Teacher to receive the equivalent paid time off in lieu.

15 Returning to work

If you want to end a period of SPL early, you must give us eight weeks' prior notice of the return date. You should give this notice in writing.

If you want to extend your SPL you must submit a new period of leave notice at least eight weeks before the date you were due to return to work, assuming you still have SPL entitlement remaining and have not already submitted three period of leave notices. If you are unable to request more SPL you may be able to request annual leave or ordinary parental leave (see section E), which will be subject to business need.

You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

- a. if your SPL and any maternity, adoption or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- b. if you took SPL consecutively with more than four weeks of ordinary parental leave (under our Parental Leave Policy).

If you want to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

Section G: Shared Parental Bereavement Leave and Pay

1 Introduction

Dealing with the death of a child is an extremely difficult situation, and therefore to enable you to take some time you may be eligible for either or both parental leave and statutory parental bereavement pay.

You can take two weeks leave from the first day of your employment for each child who has died or was stillborn if you are eligible.

You can take:

- Two weeks together
- Two separate weeks of leave
- Only one week of leave

The leave can start on or after the date of the death or stillborn but must finish within 56 weeks of the date of the death or stillborn.

If you're taking another type of statutory leave (for example, maternity or paternity leave) when the child dies or stillbirth happens, your parental bereavement leave must start after the other leave has ended but does not have to be taken immediately after. This includes if the statutory leave is for another child.

If your parental bereavement leave is interrupted by the start of another type of statutory leave, you can take your remaining entitlement to parental bereavement leave after that other leave has ended.

Your remaining parental bereavement leave must be taken within 56 weeks of the date of death or stillbirth.

You can take parental bereavement leave between blocks of shared parental leave that you booked before the child died. This includes if the shared parental leave is for another child.

2 Entitlement to SPBP

You will be entitled to receive either £156.66 a week or 90% of your average weekly earnings (whichever is lower).

This will be paid through your normal monthly payroll.

Appendix 1 – Maternity Leave Application Form

Maternity Leave Notification Form – Teaching and Support Staff

If you require any help completing this form, please contact the HR Team.

Employee Name:		Payroll Number:	
School/Department:		Job Title:	
Preferred Telephone Number:		Personal Email Address:	
Home Address:			

Please inform HR if your home address or contact details change during your maternity leave.

I wish to inform you that I am pregnant and I intend to take maternity leave as follows:		
Expected week of child birth (EWC):		
Expected date maternity leave period to commence (this cannot be more than 11 weeks before your EWC)		
Expected date maternity leave period to end (this can be changed by giving 8 weeks written notice of new date)		
I enclose my MATB1 certificate:	Yes	No
Details of any annual leave being used directly before maternity leave commences (in the event that baby arrives whilst in a period of annual leave, maternity leave will kick in and this will be added to the end of your maternity leave period)		

Details of any annual leave being used after maternity leave period ends but before I come back		
Option 1: I am intending to return back to work for at least 13 weeks and would like my 12 weeks half pay to be paid to me in full as it becomes due		
Option 2: <i>This box should only be completed if the employee is unsure if they will return from maternity leave.</i> I would like my 12 weeks half pay to be paid to me on my return to work		
Option 3: I am not intending to return back to work at the end of my maternity leave		
Declaration:		
I confirm that I have discussed my maternity leave with my line manager and that the information contained on this form is accurate. I accept that if I am unable to return to work for at least 13 weeks, I will have to repay the half pay element of my maternity leave.		
Employee Signature:		Date:
Headteacher/Head of School/Manager Signature:		Date:

Please return the completed form to the HR Department at hr@mowbrayeducation.org

Appendix 2 – Paternity Leave (for maternity and adoption leave)

2. Paternity Leave Notification Form for Teaching and Support Staff

If you require any help completing this form, please contact the HR team.

Please complete the form in BLOCK CAPITALS if handwritten.

First Name:	Surname:
School/Department	Job Title:
Payroll Number:	Contact Number:
Home Address:	
I wish to inform you that I intend to take Paternity Leave as follows:	
Expected date paternity leave period to commence*:	
Expected return to work date **::	
Expected week of childbirth (EWC) or expected date of placement for adoption:	
*Paternity leave cannot begin prior to the baby's birth/date of placement for adoption, but you can state that you wish your paternity leave to start on the day your child is born	
**Paternity leave must be taken in a block of either 1 or 2 weeks (7 or 14 calendar days)	
I declare that I:	
<input type="checkbox"/> I am responsible for the upbringing of the child <input type="checkbox"/> The secondary adopter named on the matching certificate <input type="checkbox"/> I intend to apply for a parental order within 6 months of child's birth	
<input type="checkbox"/> Will take time off to care for the child	
<input type="checkbox"/> Have provided a copy of the MATB1/matching certificate with this form	

Please ensure you have discussed this with you line manager and provided them with a copy of the form.

Signed:

Date:

Please return the completed form to the HR Department at hr@mowbrayeducation.org

Appendix 3 – Adoption Leave Application Form

3. Adoption Leave Notification Form – Teaching and Support Staff

If you require any help completing this form, please contact the HR Team.

Employee Name:		Payroll Number:	
School/Department:		Job Title:	
Preferred Telephone Number:		Personal Email Address:	
Home Address:			

Please inform HR if your home address or contact details change during your adoption leave.

I wish to inform you that I have been matched with a child and intend to take adoption leave as follows:		
Expected date of placement:		
Expected date adoption leave period to commence (this cannot be more than 14 days prior to placement)		
Expected date adoption leave period to end (this can be changed by giving 8 weeks written notice of new date)		
I enclose my matching certificate:	Yes	No
Details of any annual leave being used directly before adoption leave commences		
Details of any annual leave being used after adoption leave period ends but before I come back		

The date I will be back in the workplace	
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Declaration:		
I confirm that I have discussed my adoption leave with my line manager and that the information contained on this form is accurate.		
Employee Signature:		Date:
Headteacher/ Head of School/ Manager Signature:		Date:

Please return the completed form to the HR Department at hr@mowbrayeducation.org

Appendix 4 - Parental Leave Application Form

4. Parental leave request form

If you require any help completing this form, please contact a member of the HR team. Please complete in BLOCK CAPITALS if completing by hand.

Employee Name:		Job Title:	
School/Department		Manager:	
Employment Start Date:		Payroll Number:	
Home Address:		Contact number:	

Details of parental leave request:			
Child's Name:		Child's Date of Birth:	
Amount of parental leave already taken previously in respect of the above named child:			
Parental Leave Starts:		Parental Leave Ends:	
Date of Placement (if applicable):			

Details of Parental Bereavement leave request:			
Child's Name:		Child's Date of birth:	
			Child's Date of death:
Amount of parental leave already taken previously in respect of the above named child:			
Parental Leave Starts:		Parental Leave Ends:	
Date of Placement (if applicable):			

Employee Declaration:	
<input type="checkbox"/> I understand that irrespective of how many days taken of a week it will be classed as a week's Parental Leave, unless the child is disabled.	
<input type="checkbox"/> I am aware that a period of parental leave will be unpaid and that appropriate adjustments will be made to my salary to reflect this.	
<input type="checkbox"/> I have provided a copy of the child's birth certificate/matching certificate/ MATB1/parental order/document showing disability/Child's death certificate	
<input type="checkbox"/> I understand that the Trust may postpone the period of leave requested by up to six months, where the leave does not coincide with the expected week of my child's birth or adoption, and the business would otherwise be unduly disrupted.	
Employee Signature:	Date:

Appendix 5 - Shared Parental Leave Application Form

Form 1: Curtailment of Maternity Leave and Pay

SECTION A: General (must be completed)	
Please accept this as my notice to curtail my maternity leave and/or SMP. This form is accompanied by notification that either I intend to take ShPL and/or ShPP or that my partner intends to take ShPL and/or ShPP. I understand that my maternity leave will end on the date given in Section B and that my SMP will end on the date given in Section C. I understand that I can only reinstate my maternity leave if I revoke this notice before the curtailment date given in Section B. I understand that if I am eligible for myself or my partner to opt into ShPL and ShPP I can only reinstate my SMP if I revoke this notice before the end date given in Section C.	
Surname	
First name(s)	
Child's expected date of birth	
Actual date of child's birth (if born)	
SECTION B: Curtailing maternity leave (must be completed)	
Date statutory maternity leave started/is intended to start	
Date statutory maternity leave will come to an end	
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends	
SECTION C: Curtailing maternity pay (only complete if claiming ShPP)	
Date SMP started/is intended to start	
Date SMP will come to an end	
Total number of weeks of SMP that will have been paid at the date that SMP ends	
SECTION D: Signature (must be completed)	
Signature of mother	
Date signed	

Form 2: Notification that Mother is intending to take ShPL (for Mother's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother) am entitled to and intend to take ShPL (and ShPP if section C is completed).	
Mother's Surname	
Mother's First name(s)	
Partner's surname	
Partner's first name(s)	
Partner's Address	
Partner's National Insurance number (State 'none' if no number is held)	
Child's expected date of birth	
Actual date of child's birth (if child not yet born I will provide this information as soon as reasonably practicable following birth and before I take any ShPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) statutory maternity leave	
Date mother's statutory maternity leave ended (or will end)	
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends	
Date mother started (or intends to start) SMP or MA	
Date mother's SMP or MA ended (or will end)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	

SECTION C: Amount of ShPL available (must be completed)

Total number of weeks of ShPL created (52 weeks less total number of maternity weeks taken and any ShPL from a previous notice and revocation)	
Total number of weeks of ShPL I (the mother) intend to take	
Total number of weeks of ShPL my partner intends to take	

SECTION D: Indication of Mother's leave intentions (must be completed but is not binding)

I (the mother) currently expect to take ShPL as follows:

Note: It will usually be helpful to answer this in a "From... To..." format

SECTION E: Amount of ShPP available (only complete if claiming ShPP)

Total number of weeks of ShPP created (39 weeks less total number of SMP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the mother) intend to take:	
Total number of weeks of ShPP my partner intends to take:	

I (the mother) currently expect to take ShPP as follows:

Note: It will usually be helpful to answer this in a "From... To..." format

SECTION F: Mother's declaration (must be completed)

The following points apply in all circumstances where a mother is entitled to maternity leave:

- I am giving notice that I am entitled to and intend to take ShPL
- I have, or will have, been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due

- I will remain employed with this employer until any period of ShPL that I intend to take
- I had (or will have) the main responsibility for the care of the child at the time of the child's birth (along with my partner who has made the declaration below)
- I am entitled to maternity leave, my maternity leave period is reduced and the remaining weeks are now available as ShPL
- I will inform my employer immediately if I am no longer caring for my child
- I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice
- I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice
- I (or my partner) have given a period of ShPL notice
- The information provided in this declaration is accurate and meets the notification requirements for ShPL

The following points only apply if Section E has been completed:

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth
- I am entitled to SMP in respect of the birth of our child, my maternity pay period is reduced and the period that remains is available as ShPP
- I will be absent from work in each week in which I will be paid ShPP and I will be on ShPL in those weeks (if entitled to ShPL)
- I intend to care for my child in the weeks I receive ShPP
- I will remain employed with this employer until before the date of my first period of ShPP
- I will immediately inform the person who will be paying ShPP if I revoke the curtailment of my SMP or MA
- The information provided in this declaration is accurate

Signature of mother	
Date mother signed	

SECTION G: Partner's declaration (must be completed)

- I am the partner of the child's mother, or at the date of the birth I was/will be the mother's spouse, the mother's civil partner and/or the mother's partner living with her and the child in an enduring relationship
- I had (or will have) the main responsibility for the care of our child at the time of the birth (along with the child's mother)
- I have been (or will have been) employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth
- I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of childbirth
- I consent to the amount of ShPL which the mother intends to take, as set out in Section D above.
- I consent to the mother's employer processing the information I have provided
- I consent to the amount of ShPP which the mother intends to take, as set out in Section E above.
- The information provided in this declaration is accurate

Signature of partner	
Date partner signed	

Form 3: Notification that Partner is intending to take ShPL (for Partner's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother's partner) am entitled to and intend to take ShPL (and ShPP if section C is completed).	
Partner's Surname	
Partner's First name(s)	
Mother's surname	
Mother's first name(s)	
Mother's Address	
Mother's National Insurance number (State 'none' if no number is held)	
Child's expected date of birth	
Actual date of child's birth (if child not yet born I will provide this information as soon as reasonably practicable following birth and before I take any ShPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) maternity leave (if applicable)	
Date mother's maternity leave ended (or will end) (if applicable)	
Total number of weeks of maternity leave taken (or that will be taken) when maternity leave ends	
Date mother started (or intends to start) SMP or MA (if applicable)	
Date mother's SMP or MA ended (or will end) (if applicable)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	

SECTION C: Amount of ShPL available (must be completed)

The total number of weeks of ShPL created depends on the mothers leave and pay entitlements:

- If the mother was/is entitled to maternity leave and SMP/MA, the total created will be 52 weeks less any weeks maternity leave taken
- If the mother was/is entitled to maternity leave but not to SMP or MA, the total created will be 52 weeks less any weeks maternity leave taken
- If the mother was/is not entitled to maternity leave but was entitled to SMP/MA, the total created will be 52 weeks less any weeks of SMP/MA that was paid
- If the mother previously revoked her curtailment notice any ShPL that was taken by the partner must be deducted

Total number of weeks of ShPL created (50max)	
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Total number of weeks of ShPL I (the partner) intend to take	
--	--

Total number of weeks of ShPL the mother intends to take (if applicable)	
--	--

SECTION D: Indication of Partner’s leave intentions (must be completed but is not binding)

I (the partner) currently expect to take ShPL as follows:

Note: It will usually be helpful to answer this in a “From... To...” format

SECTION E: Amount of ShPP available (only complete if claiming ShPP)

Total number of weeks of ShPP created (39 weeks less total number of SMP/MA taken and any ShPP paid from a previous notice and revocation)	
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Total number of weeks of ShPP I (the partner) intend to take:	
---	--

Total number of weeks of ShPP mother intends to take:	
---	--

I (the partner) currently expect to take ShPP as follows:

Note: It will usually be helpful to answer this in a “From... To...” format

SECTION F: Partner's declaration (must be completed)

The following points apply in all circumstances:

- I am giving notice that I am entitled to and intend to take ShPL
- I am the partner of the child's mother, or at the time of the birth I was/will be the mother's spouse, the mother's civil partner and/or the mother's partner living with her and the child in an enduring relationship
- I have been (or will be) continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due
- I will remain employed with this employer until any period of ShPL that I intend to take
- I had (or will have) the main responsibility for the care of our child at the time of the child's birth (along with the child's mother who has made the declaration below)
- I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice
- I will give my employer the name and address of the mother's employer or a declaration that she does not have an employer if my employer asks for this within 14 days of the date of this notice
- I will inform my employer immediately if I am no longer caring for our child or if my partner revokes her notice to curtail her maternity leave or SMP/maternity allowance period
- I (or my partner) have given a period of ShPL notice
- The information provided in this declaration is accurate and meets the notification requirements for ShPL

The following points only apply if Section E has been completed:

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth
- I intend to care for my child in the weeks I receive ShPP
- I will be absent from work in each week in which I will be paid ShPP and I will be on ShPL in those weeks (if entitled to ShPL)
- I will remain employed with this employer until before the date of my first period of ShPP
- The information provided in this declaration is correct

Signature of partner	
Date partner signed	

SECTION G: Mother's declaration (must be completed)

The following points apply in all circumstances:

- I had (or will have) the main responsibility for the care of the child at the time of the birth (along with my partner who has made the declaration above)
- I am entitled to maternity leave and/or SMP or MA in respect of the child and I have curtailed (or will curtail) my entitlement to maternity leave (or I have returned to work) and/or my entitlement to SMP or MA.
- I have, or will have, been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of childbirth
- I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of birth
- I will immediately inform my partner if I revoke my notice to curtail my maternity leave or, if I am not entitled to maternity leave, my SMP or MA entitlement
- I consent to my partner's intended ShPL as set out in Section D above
- I consent to my partner's employer processing the information I have provided
- The information provided in this declaration is accurate and meets the notification requirements for ShPL

The following points only apply if Section E has been completed:

- I am entitled to SMP or MA, and I have reduced (or will reduce) the SMP or MA period and the remainder will be available as ShPP
- I consent to my partner's intended ShPP as set out in Section E above
- I will immediately inform my partner if I revoke the reduction of my SMP or MA
- I consent to the person who will pay ShPP to my partner or the child's partner processing the information I have provided
- The information provided in this declaration is correct

Signature of mother	
Date mother signed	

Appendix 6: Shared Parental Leave for Adoption

Form 5: Curtailment of Adoption Leave and Pay (for Adopter's Employer)

SECTION A: General (must be completed)	
Please accept this as my notice to curtail my adoption leave and/or SAP. This form is accompanied by notification that either I intend to take ShPL and/or ShPP or that my partner intends to take ShPL and/or ShPP. I understand that my adoption leave will end on the date given in Section B and that my SAP will finish on the end date given in Section C, unless my notice is revoked or there is no entitlement.	
Adopter's surname	
Adopter's first name(s)	
Child's expected date of placement	
Actual date of child's placement (if known)	
SECTION B: Curtailing adoption leave (must be completed)	
Date statutory adoption leave started/is intended to start	
Date statutory adoption leave will come to an end	
Total number of weeks of statutory adoption leave that will have been taken at the date that statutory maternity leave ends	
SECTION C: Curtailing adoption pay (only complete if claiming ShPP)	
Date SAP started/is intended to start	
Date SAP pay will come to an end	
Total number of weeks of SAP that will have been paid at the date that SAP ends	
SECTION D: Signature (must be completed)	
Signature of adopter	
Date signed	

Form 6: Notification that Adopter is intending to take ShPL (for Adopter's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the adopter taking adoption leave/pay) am entitled to and intend to take ShPL (and ShPP if section C is completed).	
Adopter's Surname	
Adopter's First name(s)	
Adopter's surname	
Partner's first name(s)	
Partner's Address	
Partner's National Insurance number (State 'none' if no number is held)	
Date Adopter was informed of being matched for adoption	
Child's expected date of placement	
Actual date of child's placement (if child not yet placed I will provide this information as soon as reasonably practicable following placement and before I take any ShPL)	
SECTION B: Adoption Entitlement Details (all answers that apply must be completed)	
Date adopter started (or intends to start) statutory adoption leave	
Date adopter's statutory adoption leave ended (or will end)	
Total number of weeks of statutory adoption leave that will have been taken at the date that statutory adoption leave ends	
Date adopter started (or intends to start) SAP	
Date adopter's SAP ended (or will end)	
Total number of weeks SAP has been paid or will have been paid at date of curtailment	
Total number of weeks by which SAP will be reduced (i.e. 39 weeks minus total number of weeks SAP has been paid or will have been paid at date of curtailment)	

SECTION C: Amount of ShPL available (must be completed)

Total number of weeks of ShPL created (52 weeks less total number of weeks of adoption leave taken)	
Total number of weeks of ShPL I (the adopter) intend to take	
Total number of weeks of ShPL partner intends to take	
SECTION D: Indication of Adopter's leave intentions (must be completed but is not binding)	
I (the adopter) currently expect to take ShPL as follows:	
Note: It will usually be helpful to answer this in a "From... To..." format	
SECTION E: Amount of ShPP available (only complete if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of weeks SAP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the adopter) intend to take:	
Total number of weeks of ShPP partner intends to take:	
I (the adopter) currently expect to take ShPP as follows:	
Note: It will usually be helpful to answer this in a "From... To..." format	
SECTION F: Adopter's Declaration (must be completed if adopter is entitled to adoption leave)	
The following points apply in all circumstances:	
<ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take ShPL • I have been continuously employed for 26 weeks at the end of week in which I (the adopter) was notified of having been matched for adoption • I will remain employed with this employer until any period of ShPL that I intend to take • I had (or will have) the main responsibility for the care of the child at the time of the child's placement (along with my partner who has made the declaration below) and I intend to care for the child during each week of ShPL • I am entitled to adoption leave in respect of the child, my adoption leave period is reduced and will be available as ShPL • I will inform my employer immediately if I am no longer responsible for the 	

care of the child

- if my employer asks within 14 days of the date of this notice, I will give my employer evidence, in the form of one or more documents issued by the adoption agency that matched me with the child, of (i) the name and address of the adoption agency; (ii) the date that I was notified of having been matched for adoption with the child; and (iii) the date on which the adoption agency expects to place the child with me.
- I (or my partner) have given a period of ShPL notice
- I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice
- The information provided in this declaration is accurate

The following points only apply if Section E has been completed:

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the week in which I (the adopter) was notified of having been matched for adoption with the child
- I am entitled to SAP in respect of the child placed with me, my adoption pay period is reduced and the period that remains is available as ShPP
- I will be absent from work in each week in which I will be paid ShPP and, if I am entitled to it, I will be on ShPL in those weeks
- I intend to care for my child and to be absent from work in the weeks I receive ShPP and if I am an employee I will be on ShPL in those weeks
- I will remain employed with this employer until before the date of my first period of ShPP
- I will immediately inform the person who pays ShPP if I revoke curtailment of my SAP
- The information provided in this declaration is accurate

Signature of adopter	
Date adopter signed	

SECTION G: Partner's Declaration (must be completed)

- I am the adopter's spouse, the adopter's civil partner or the adopter's partner living with them and the child in an enduring relationship
- I had (or will have) the main responsibility for the care of the child at the time of the placement (along with the child's adopter)
- I have been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks preceding the week in which the adopter was notified of having been matched for adoption with the child
- I have earned in total at least £390 in 13 weeks of the 66 weeks preceding the week in which the adopter was notified of having been matched for adoption with the child
- I consent to the amount of ShPL which the adopter intends to take, as set out in Section D above.
- I consent to the adopter's employer processing the information I have provided
- I consent to the amount of ShPP which the adopter intends to take, as set out in Section E above.
- The information provided in this declaration is accurate

Signature of partner	
Date partner signed	

Form 7: Notice confirming that Partner is taking ShPL but Adopter is not (for Adopter's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the adopter) do not intend to take ShPL (or ShPP where relevant) but that my partner will be.	
Adopter's surname	
Adopter's first name(s)	
SECTION B: Confirmation	
<ul style="list-style-type: none"> • I am either not entitled to ShPL (or ShPP where relevant), or I do not intend to take ShPL (or claim ShPP where relevant) • I declare that my partner has given a notice to their employer to take ShPL and/or ShPP. • I consent to my partner's intended claim for ShPL and/or ShPP. 	
SECTION B: Signature (must be completed)	
Signature of adopter	
Date signed	

Form 8: Notification that Partner is intending to take ShPL (for Partner's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the adopter's partner) am entitled to and intend to take ShPL (and ShPP if section C is completed).	
Partner's Surname	
Partner's First name(s)	
Adopter's surname	
Adopter's first name(s)	
Adopter's Address	
Adopter's National Insurance number (State 'none' if no number is held)	
Date Adopter was informed of being matched for adoption	
Child's expected date of placement	
Actual date of child's placement (if child not yet placed I will provide this information as soon as reasonably practicable following placement and before I take any ShPL)	
SECTION B: Adoption Entitlement Details (all answers that apply must be completed)	
Date adopter started (or intends to start) statutory adoption leave (if applicable)	
Date adopter's statutory adoption leave ended (or will end) (if applicable)	
Total number of weeks of statutory adoption leave taken (or that will be taken) when statutory adoption leave ends	
Date adopter started (or intends to start) SAP (if applicable)	
Date adopter's SAP ended (or will end) (if applicable)	
Total number of weeks SAP has been paid or will have been paid at date of curtailment	
Total number of weeks by which SAP will be reduced (i.e. 39 weeks minus total number of weeks SAP has been paid or will have been paid at date of curtailment)	

SECTION C: Amount of ShPL available (must be completed)

The total number of weeks of ShPL created depends on the adopter’s leave and pay entitlements:

- If the adopter was/is entitled to adoption leave and SAP, the total created will be 52 weeks less any weeks of adoption leave taken
- If the adopter was/is entitled to adoption leave but not to SAP, the total created will be 52 weeks less any weeks adoption leave taken
- If the adopter was/is not entitled to adoption leave but is entitled to SAP, the total created will be 52 weeks less any weeks of SAP taken

Total number of weeks of ShPL created (50max)	
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Total number of weeks of ShPL I (the partner) intend to take	
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Section D: Indication of Partner’s leave intentions (must be completed but is not binding)

I (the partner) currently expect to take ShPL as follows:

Note: It will usually be helpful to answer this in a “From... To...” format

SECTION E: Amount of ShPP available (only complete if claiming ShPP)

Total number of weeks of ShPP created (39 weeks less total number of SAP taken and any ShPP paid from a previous notice and revocation)	
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Total number of weeks of ShPP I (the partner) intend to take:	
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Total number of weeks of ShPP adopter intends to take:	
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I (the partner) currently expect to take ShPP as follows:

Note: It will usually be helpful to answer this in a “From... To...” format

SECTION F: Partner's Declaration (must be completed)

The following points apply in all circumstances:

- I am giving notice that I am entitled to and intend to take ShPL
- I am the adopter's spouse, the adopter's civil partner or the adopter's partner living with them and the child in an enduring relationship
- I have been continuously employed for 26 weeks at the end of week in which the adopter was notified of having been matched for adoption
- I will remain employed with this employer until any period of ShPL that I intend to take
- I had (or will have) the main responsibility for the care of our child at the time of the child's placement (along with the child's adopter who has made the declaration below)
- If my employer asks within 14 days of the date of this notice, I will give my employer evidence, in the form of one or more documents issued by the adoption agency that matched the adopter with the child, of (i) the name and address of the adoption agency; (ii) the date that the adopter and/or I was notified of having been matched for adoption with the child; and (iii) the date on which the adoption agency expects to place the child with the adopter and/or me.
- I will give my employer the name and address of the adopter's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice
- I (or my partner) have given a period of ShPL notice
- I will inform my employer immediately if I am no longer caring for our child
- The information provided in this declaration is accurate

The following points only apply if Section E has been completed:

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the week in which the adopter was notified of having been matched for adoption with the child
- I intend to care for my child and to be absent from work in the weeks I receive ShPP and if I am an employee I will be on ShPL in those weeks
- I will remain employed with this employer until before the date of my first period of ShPP
- The information provided in this declaration is accurate

Signature of partner	
Date partner signed	

SECTION G: Adopter's Declaration (must be completed)

The following points apply in all circumstances:

- I had (or will have) the main responsibility for the care of the child at the time of the placement of the child (along with my partner who has made the declaration above)
- I am entitled to adoption leave and/or SAP in respect of the child and I have curtailed (or will curtail) my entitlement to adoption leave (or I have returned to work) and/or my entitlement to SAP.
- I have been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks preceding the week in which the adopter was notified of having been matched for adoption with the child
- I have earned in total at least £390 in 13 weeks of the 66 weeks preceding the week in which I (the adopter) was notified of having been matched for adoption with the child
- I consent to my partner's intended ShPL as set out in Section D above
- I consent to my partner's employer processing the information I have provided
- The information provided in this declaration is accurate and meets the notification requirements for ShPL

The following points only apply if Section E has been completed:

- I am entitled to SAP, and I have reduced (or will reduce) the SAP period and the remainder will be available as ShPP
- I consent to my partner's intended ShPP as set out in Section E above
- I consent to the person who will pay ShPP to my partner or the child's partner processing the information I have provided
- I will immediately inform my partner if I revoke the curtailment of my SAP
- The information provided in this declaration is accurate

Signature of adopter	
Date adopter signed	

Log of Changes to Document

Date	Page	Change	Who:
June 2021	Change of Titles	Group HR manager changed to HR & Operations Director	HR & Operations Director
Aug 2020	Section G Added	Statutory Change to Parental Bereavement Pay	HR & Operations Director
Nov 2017	Whole document	Formatting	Head of HR
June 2022	Whole Document (now V2)	<p>Titles updates and reference to the MET Maternity Booklet for the forms is referred to now in sections B(2) and F(9)</p> <p>Title of Policy updated to read "Family Leave Policy and Procedure"</p> <p>Contents page & page numbers updated</p> <p>Section 4 - Definitions updated to reflect Shared Parental Leave</p> <p>Forms updated in appendices</p> <p>Appendices 1-6 added in - forms for completion for Maternity/Adoption Leave, Paternity Leave, Parental Leave and Shared Parental Leave for maternity and adoption</p>	<p>COO</p> <p>HR Manager</p> <p>HR Manager</p> <p>HR Manager</p> <p>HR Manager</p> <p>HR Manager</p>