

FAMILY AND PARENTAL LEAVE POLICY

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1 AIMS

1.1 This policy aims to:

- Set out the Federation's approach to maternity, paternity, adoption and shared parental leave, and other family-related leave.
- Make sure the Federation is a family-friendly place to work by supporting staff members who need to take time off work for family-related reasons.
- Support all parties in managing family-related leave effectively and consistently, to ensure a fair and transparent approach across the Federation that complies with our duties under the Equality Act 2010 and Employment Rights Act 1996 and the Employment Rights Act 2025.

1.2 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

2 SCOPE

2.1 This policy applies to all full-time and part-time staff who are employed directly by the Federation.

2.2 Self-employed workers, volunteers and agency workers are not covered by this policy.

3 DATA PROTECTION

3.1 All discussions and sensitive medical and personal information about staff members will be treated confidentially by all parties concerned. This data will be collected, used and stored in line with the Data Protection Act 2018. Please refer to our privacy notice for staff members for more detail on how data will be processed – www.rutlandfederation.com/policies.

4 MATERNITY LEAVE AND PAY (INCLUDING FOR SURROGATES)

4.1 Maternity leave (including for surrogates)

4.1.1 Any pregnant staff member employed by the Federation is entitled to 52 weeks of maternity leave, on the assumption that they follow the process below in terms of notifying us. This is made up of:

- 26 weeks of ordinary maternity leave first (OML), immediately followed by
- 26 weeks of additional maternity leave (AML)

4.1.2 You do not have to take a full 52 weeks, but you must take:

- A minimum of 2 weeks' leave following the birth of your baby
- All of your maternity leave in one go

4.2 Notification of pregnancy

4.2.1 If you are pregnant, we would prefer that you inform us as early as you are comfortable with, and at least 15 weeks before your due date. This is so we can take into account any necessary health and safety considerations.

4.2.2 Once you have notified us of your pregnancy, we will carry out a risk assessment to identify and avoid any risks to your health and safety as a new or expectant mother, and/or to your baby. If any risks are identified, we will inform you of this and discuss with you. In order to remove or prevent your exposure to any risks, we may take steps such as:

- Temporarily changing your working conditions or hours of work.
- Offering you suitable alternative work, on terms and conditions that are either the same or not substantially worse than previous terms and conditions.

4.3 Proof you're pregnant

4.3.1 Within days of your statutory maternity pay (SMP) start date (or as soon as possible if the baby's born early) you must provide us with a certificate from a doctor or midwife - usually a maternity certificate (MAT B1 form) - confirming your expected week of childbirth. You can also give us a letter from your doctor or midwife.

4.4 Starting maternity leave

4.4.1 You can start your maternity leave from up to 11 weeks before the week your baby is due (Expected Week of Childbirth) unless your child is born prematurely before that date, in which case your maternity leave will start on the day after you give birth.

4.4.2 Maternity leave will start on whichever of the following is earliest:

- The date on which you would like to start your maternity leave (if notified to us in accordance with this policy).
- The day after you give birth if the baby is early.
- The day after any day on which you are absent for a pregnancy-related reason during the 4 weeks before the week (Sunday to Saturday) that your baby is due. If this happens, you must let us know as soon as possible in writing. Maternity leave will automatically be triggered at this point.

4.5 Claiming maternity leave

4.5.1 You must notify the Chief Finance Officer in writing before the end of the 15th week before the week your baby is due:

- That you are pregnant
- The week, starting on a Sunday, in which your doctor or midwife expects you to give birth (Expected Week of Childbirth)
- The date (starting on a Sunday) on which you'd like to start your maternity leave (intended start date of maternity pay period)

4.5.2 If you want to change the day you want to start your maternity leave, you must notify the Chief Finance Officer of the new day:

- 28 days before your maternity leave was originally due to start (or if that is not possible, as soon as reasonably practicable); or
- 28 days before the new date you want to start your leave if you want to bring it forward (whichever of the two dates is earlier), or if that's not possible, as soon as reasonably practicable.

4.5.3 We will write to you within 28 days of your notice confirming your maternity leave start and end date (further information on notice periods for returning to work are within this policy).

4.5.4 The law prohibits you from working during the two weeks following childbirth.

4.6 Maternity pay (including for surrogates)

4.6.1 You may be eligible for occupational maternity pay or statutory maternity pay, depending on how long you have worked at the Federation.

4.6.2 Employees with less than 1 year of continuous service at the Qualifying Week (the 15th week before the expected week of childbirth) shall be entitled Statutory Maternity Pay (SMP) only.

4.6.3 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 the KIT day rules as outlined in this policy). You are entitled to SMP if:

- You have been continuously employed by the Federation for at least 26 weeks at the end of the Qualifying Week 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.

4.7 SMP is for 39 weeks, and is comprised of:

- First six weeks: SMP is paid at the Earnings-Related Rate of 90% of your average weekly earnings calculated over the Relevant Period.
- Remaining 33 weeks: SMP is paid at the Prescribed Rate which is set by the government for the relevant tax year, or the Earnings-Related Rate if this is lower.

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

4.7.2 You are still 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 starts to accrue in whichever is the later of:

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

- 4.7.3 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 on the effective date. 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.
- 4.7.4 In addition to SMP, eligible employees may also receive Occupational Maternity Pay (OMP). This runs alongside SMP provisions.
- 4.7.5 You will qualify for OMP if you have been continuously employed by the Federation during the 12-month period ending with the Qualifying Week (for OMP this is the 11th week before the expected week of childbirth) and have not received any company paternity pay, maternity pay, adoption pay or shared parental pay from our employment during the 12-month period ending with the Qualifying Week.
- 4.7.6 Payment of the final aspect of Occupational Maternity Pay (12 weeks at half pay in addition to SMP - not exceeding full pay) is conditional upon you returning to work for at least 13 weeks after maternity leave. If you do not return to work for this minimum period, the 12 weeks' half pay must be repaid.
- 4.7.7 Where an employee returns to work on a part-time basis, they will be required to complete 13 weeks' service to retain their Occupational Maternity Pay (OMP). Where part-time hours are worked during this period, any shortfall against the equivalent of 13 weeks' full-time service will be subject to a pro-rata repayment if employment ends before this equivalent service level is met.
- 4.7.8 OMP is for 18 weeks, and is comprised of:
- 4 weeks at full pay (90% is made up from SMP)
 - 2 weeks at 90% of contractual pay or SMP at the earnings-related rate whichever is the greater.
 - 12 weeks at half pay (where the Employee intends to return to work) in addition to SMP entitlement – total amount not exceeding full pay.
- 4.7.9 Employees eligible for SMP will have the payments made in the first 6 weeks of absence offset against the first 6 weeks of OMP payments detailed above.
- 4.7.10 More information on returning to work after maternity leave, including notice periods, is detailed within this policy.

4.8 Pregnancy-related sickness absence and pay

- 4.8.1 Pregnancy-related sickness absence shall be paid in accordance with your contract of employment and the Federation Sickness Management Policy and the Academy Pay Policy.
- 4.8.2 Periods of pregnancy-related sickness from the start of pregnancy until the end of maternity leave will be recorded separately from other sickness records and will be disregarded in future employment-related decisions.

5 PATERNITY LEAVE AND PAY

5.1 Statutory paternity leave

5.1.1 Employees are entitled to take 2 weeks of statutory paternity leave from the first day of employment. It can be taken as either:

- A single consecutive period of leave of either 1 week or 2 weeks, or
- 2 non-consecutive periods of 1 week of leave

5.1.2 The second week may be taken in instalments with prior agreement of the Executive Principal. In this case, a colleague could not, for example, elect to take off five Mondays as this would affect the same teaching groups, so a degree of reasonableness must be applied.

5.1.3 You receive the same amount of leave even if you have more than 1 child, e.g. twins.

5.1.4 Please note that a week is the amount of time that you normally work in a week (so a week is 2 days if you normally work on Mondays and Tuesdays only).

5.1.5 Paternity leave can start on the date of the child's birth or adoption placement, or a later date. However, it must end within 52 weeks of the birth or placement, or within 52 weeks of the first day of the Expected Week of Childbirth (if the child was born early).

5.1.6 To be eligible, you must expect to have some responsibility for the child's upbringing and be the:

- Child's biological father.
- Partner of the person having a baby (including same-sex partner).
- Spouse, civil partner or partner of the main adopter (including same-sex partner) and taking the leave to care for the child or support the main adopter.
- Be in a couple and be an intended parent (if you are having a baby through surrogacy).
- Person who a child is placed with under a fostering for adoption arrangement by the local authority or the partner of the person who a child is placed with.

5.1.7 Paternity leave cannot start before the baby is born.

5.1.8 You may take unpaid time off work to accompany your partner (or the surrogate mother) to two antenatal appointments.

5.1.9 Paternity leave is different if you are adopting or fostering for adoption – further information is detailed within this policy regarding paternity leave for adoption or fostering for adoption.

5.2 Statutory paternity pay

5.2.1 This includes for adoption and intended parents following surrogacy.

5.2.2 You can find the latest statutory weekly rate of paternity pay on the government's website – <https://www.gov.uk/paternity-pay-leave/pay>.

- To be eligible for statutory paternity pay, you must:
- Have been continuously employed by the Federation for at least 26 weeks up to any day in the 'qualifying week'

- The qualifying week for paternity pay is the 15th week before the Expected Week of Childbirth.
- The qualifying week for paternity pay for adoption in the UK is the week you're matched with the child.
- The qualifying week for paternity pay for overseas adoptions is either the week the child enters the UK or the week you want your pay or leave to start.
- Give the correct notice.
- Earn more than the minimum threshold set out on the government's website (see the latest figure at <https://www.gov.uk/paternity-pay-leave/eligibility>)

5.2.3 Staff will usually be paid their statutory paternity pay during the week/s they are taking paternity leave.

5.3 Occupational paternity pay

5.3.1 This includes for adoption, and intended parents following surrogacy.

5.3.2 To be entitled to receive occupational paternity pay rather than statutory paternity pay, you must:

- Have been continuously employed by the Federation for at least 12 months up to the qualifying week.
- Not have received any other occupational paternity pay, maternity pay, adoption pay or shared parental pay from our employment during the 12-month period ending with the qualifying week.

5.3.3 The qualifying week for contractual paternity pay is the 11th week prior to the Sunday before the expected day of confinement. You are entitled to two weeks and this is paid at the rate of your normal basic salary during paternity leave.

5.3.4 Occupational paternity pay is two weeks paid at your usual basic salary and is inclusive of any SPP that may be due for that period.

5.4 How to claim paternity leave and pay

5.4.1 You must notify the Federation's HR Manager in writing at least 15 weeks before the week the baby is due (Expected Week of Childbirth):

5.4.2 That you are having a baby, and are:

- The child's father and/or
- the husband or partner of the mother (or adopter) - this includes same-sex partners
- The intended parent in the case of surrogacy, intending to apply for a parental order in the 6 months following the birth and expect it to be granted and meet the eligibility criteria for statutory paternity pay.
- The week the baby is due (Expected Week of Childbirth)
- That you plan to take paternity leave.
- You must tell the Federation at least 28 days before each period of leave:

- When you want your leave to start (which may be a specified date after the start of the Expected Week of Childbirth, the actual date of birth or a specified number of days after birth).
- Whether you want to take one or two weeks' leave
- That the purpose of the leave will be to care for the child or support your partner.

5.4.3 If you want to change your period and/or dates of leave, you must give us 28 days' notice where reasonably practicable. In doing so, you must confirm that the purpose of the new period of leave is to care for the child or support your partner.

5.4.4 You must complete the government's [online form](#) and download a completed copy for us – this gives us HMRC permission to pay the statutory paternity pay.

5.5 Paternity leave and pay for adoption

5.5.1 Paternity leave is available to employees of either sex for the purposes of caring for a child or supporting the child's other parent where an adoption agency places a child with you and/or your partner for adoption and you expect to have the main responsibility (with your partner) for the child's upbringing, or where a local authority (LA) places a child with you and/or your partner under a fostering for adoption arrangement, and you expect to have the main responsibility (with your partner) for the child's upbringing.

5.5.2 In adoption or fostering for adoption cases, you may wish to consider adoption leave instead. Only 1 parent can take adoption leave, so you should discuss this with your partner. You cannot take both paternity leave and adoption leave.

5.5.3 Your paternity leave can start on the date of the child's adoption placement, or a later date of your choosing. This must end within 52 weeks of the child's placement for adoption, or the child's arrival in the UK (for overseas adoptions).

5.5.4 Your leave must end within 52 weeks of the date when the child is due:

- To be placed with you.
- To arrive in England, Scotland or Wales.

5.5.5 You are also entitled to unpaid time off to attend 2 adoption appointments after you have been matched with your child.

5.5.6 To claim paternity leave for adoption, you must tell the Chief Finance Officer in writing that you have been matched with a child within 7 days of this happening. You should also tell us:

- The date you were matched with your child
- The expected placement start date
- That you wish to receive paternity pay rather than adoption pay in respect of the child
- Whether you want to take 1 or 2 weeks' leave
- That you are married to, or the civil partner or partner of, the child's main adopter
- That you expect to have the main responsibility (apart from your partner) for the child's upbringing

- That the purpose of the leave will be to care for the child and/or to support your partner

6 BEREAVED PARTNER'S PATERNITY LEAVE (BPPL)

- 6.1.1 We are committed to supporting any staff member who suffers the loss of a partner.
- 6.1.2 In the sad case of the death of the child's mother, the co-adopter or your partner, in childbirth or within 12 months of the child's birth or adoption placement, you are entitled to paternity leave.
- 6.1.3 Bereaved partner's paternity leave (BPPL) is a type of leave intended to help employees deal with the death of a partner who is the primary carer for their child, either:
- During the first 52 weeks after the child's birth (including in the case of surrogacy), or
 - The first 52 weeks after their placement for adoption (or the child's entry to England, Scotland or Wales in the case of overseas adoption)
- 6.1.4 Where you have sufficient length of service, and your partner was in paid work before the birth or adoption placement, you may be eligible for shared parental leave and pay which is likely to be more beneficial than BPPL.
- 6.1.5 We understand that experiencing bereavement is an incredibly difficult time. We're committed to supporting any member of staff experiencing bereavement throughout their period of BPPL and on returning to work.
- 6.1.6 Please speak to your line manager if you have any questions or concerns about any elements of this policy, and we will do our best to help you understand and follow it.

6.2 Eligibility for BPPL

- 6.2.1 You are entitled to BPPL if:
- A child's primary carer has died within 52 weeks of the child's birth or the date the child was placed for adoption, and
 - You are either the child's father or the partner of the child's primary carer, and
 - You are taking leave to care for the child.
- 6.2.2 The primary carer means either:
- The child's mother.
 - In an adoption case, a person with whom the child has been placed for adoption (and if the child was placed jointly with you, the person who you have jointly chosen to be entitled to adoption leave).
 - In a surrogacy case, the person who is the intended parent (and in a case where you are both intended parents, the person who you have jointly chosen to be entitled to adoption leave).

6.3 Length of BPPL

- 6.3.1 BPPL is a single period of leave that can start at any time after the bereavement and can last up to 52 weeks after the date of birth or adoption placement.
- 6.3.2 If the bereavement takes place in the last 2 weeks of that 52-week period, you can take BPPL for up to 2 weeks after the bereavement.

6.4 Starting BPPL within 8 weeks of bereavement

- 6.4.1 To start BPPL in the first 8 weeks after the bereavement, please tell the HR Manager as soon as possible, but in any event before you are due to start work on the first day of BPPL.
- 6.4.2 If you have already started work, then your BPPL will start on the following day.
- 6.4.3 You must then provide the information set out below, no more than 8 weeks after the bereavement, and at least 1 week before your return to work (whichever is earlier).
- 6.4.4 You can change the start date for BPPL in the first 8 weeks if you notify us before the old or new start date, whichever is earlier.
- 6.4.5 BPPL can be cancelled if you tell us at any time before the start date, and can be re-booked by giving notice (see below) or, if you wish to start BPPL more than 8 weeks after the bereavement, 1 week's written notice.

6.5 Starting BPPL more than 8 weeks after bereavement

- 6.5.1 To start BPPL more than 8 weeks after the bereavement, please give the HR Manager at least 1 week's written notice, including all the information set out in section 7 below.
- 6.5.2 BPPL can be cancelled with 1 week's written notice, and can be re-booked by giving 1 week's written notice.

6.6 Written notice

- 6.6.1 The information required in writing is as follows:
 - The date of bereavement
 - The child's date of birth or placement for adoption
 - The date you started BPPL
 - The date you intend to return to work
 - Confirmation that you meet the eligibility conditions set out above.

6.7 Pay

- 6.7.1 If you are entitled to statutory paternity pay (SPP) or occupational paternity pay and have not yet received it, you may claim it during your BPPL. Otherwise, BPPL is unpaid.

6.8 Keeping in touch (KIT) days

- 6.8.1 We may make reasonable contact with you from time to time during your BPPL.
- 6.8.2 Employees can work up to 10 days during their BPPL. To request KIT days please agree them with your line manager and submit a payroll claim form in advance to the HR team.

- 6.8.3 These working days are known as KIT days and are:
- Paid – 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 paternity leave entitlement.
 - Working a part KIT day will count as working 1 full day, but you would only be paid for the hours worked.
 - Entirely voluntary – you need to agree to them with your line manager and the Executive Principal, as they are subject to Federation requirements.
- 6.8.4 Should you work more than 10 KIT days, your period of BPPL will be deemed to have ended.
- 6.9 Changing your return-to-work date
- 6.9.1 If you want to change the date you intend to return to work, you must let us know in writing as follows:
- If your old return date was 8 weeks or less after the bereavement, please give 1 week's notice before the earlier of the old or new return date
 - If your old return date was more than 8 weeks after the bereavement, please give 8 weeks' notice before the earlier of the old or new return date
- 6.9.2 Your return-to-work date cannot be later than 52 weeks after the date of birth or placement for adoption. If you need more time off, you may request holiday or parental leave.

7 ADOPTION LEAVE AND PAY

7.1 This also includes for intended parents following surrogacy.

- 7.1.1 All staff employed by the Federation are entitled to 52 weeks of statutory adoption leave, provided they are:
- Adopting a child through a UK adoption agency, or
 - A local authority (LA) foster parent who has been approved as a prospective adopter (subject to the adoption agency or LA providing you with written notice that it:
 - Has matched you with a child for adoption, or
 - Will be placing a child with you under a fostering for adoption arrangement
 - This notice must also confirm the date it expects to place the child in your care and that you have agreed to the child being placed with you on that date.
- 7.1.2 In surrogacy cases, you are entitled to adoption leave if:
- A surrogate mother gives birth to a child who is biologically your child, the child of your spouse or partner, or both, and
 - You expect to be given parental responsibility for the child under a parental order from the court. The child must live with you and you must apply for the parental order within 6 months of the child's birth.

7.1.3 Adoption leave is made up of a maximum of 52 weeks of:

- 26 weeks of ordinary adoption leave, followed by
- 26 weeks of additional adoption leave.

7.2 If you are adopting a child with another person.

7.2.1 Where you and your partner are adopting a child, you must decide between you who will be treated as the primary adopter and who will be treated as the secondary adopter for the purposes of time off. You must tell us your decision the first time you request time off for an adoption appointment. This will affect how much time you can take off and whether it is paid.

7.2.2 You would usually choose to be the primary adopter if you intend to take adoption leave when the child is placed with you. You would not be able to take paternity leave if you have elected to be the primary adopter.

7.2.3 You would usually choose to be the secondary adopter if you intend to take paternity leave when the child is placed with you, although you may be able to take adoption leave if your partner is not taking it.

7.2.4 If you are adopting a child alone, you are treated as the primary adopter.

7.2.5 If the agency is placing more than one child with you as part of the same arrangement, this is treated as one adoption and will not increase the number of appointments you can take time off to attend. Any time off under this policy must be taken before the first child is placed with you.

7.2.6 If you are adopting on your own or have elected to be the primary adopter, you make take paid time off to attend an adoption appointment on up to five occasions in relation to any particular adoption.

7.2.7 If you are the secondary adopter, you may take paid time off to attend an adoption appointment on up to two occasions only.

7.2.8 You must not take more than 6.5 hours off for each appointment, including travelling and waiting time.

7.2.9 Only one parent can take adoption leave – the other partner could get paternity leave instead (see above).

7.3 Exceptions

7.3.1 You do not qualify for statutory adoption leave or pay if you:

- Arrange a private adoption.
- Become a special guardian or kinship carer.
- Adopt a stepchild or a family member.

7.4 Starting leave

7.4.1 You can start ordinary adoption leave:

- Up to 14 days before the date the child is placed with you, or is expected to be placed with you (UK adoptions)
- When the child arrives in the UK or within 28 days of this date (overseas adoptions)

- In cases of surrogacy, ordinary adoption leave will start on the day the child is born, unless you are at work, in which case it will start the following date. This date cannot be changed

7.5 Notice periods for leave for adoptions

- 7.5.1 Within 7 days of the agency or LA notifying you in writing of being matched with a child (or as soon as reasonably practicable), you must tell the Federation:
- How much leave you want to take
 - When you want to start leave
 - The date the child is expected to be placed with you
- 7.5.2 Once you have received the matching certificate issued by the adoption agency or LA, you must provide us with a copy.
- 7.5.3 If you'd like to change your intended start date, please tell us in writing. You should give as much notice as you can. Where possible, you must tell us at least 28 days before the original intended start date (or the new intended start date, if you are bringing the date forward).
- 7.5.4 The Federation will confirm your leave start and end dates within 28 days of receiving your notice.

7.6 Notice periods for leave in the case of surrogacy

- 7.6.1 By the end of the 'qualifying week' – the 15th week before the baby is due – you must tell the Federation in writing:
- The expected week of childbirth
 - How much leave you want to take
 - When you want to start leave
 - That you have, or expect to have, responsibility for bringing up the child and confirmation you intend to apply for a parental order within 6 months after the baby's birth and expect it to be granted
 - That you are married to, the civil partner, or partner of the other intended parent
 - That you and the other intended parent are the parental order parents of the child

7.7 Adoption pay (including for surrogacy)

- 7.7.1 You can receive statutory adoption pay for up to 39 weeks. The weekly amounts are:
- 90% of your average weekly earnings for the first 6 weeks
 - At a weekly rate of statutory adoption pay for the next 33 weeks (see the latest weekly figure at <https://www.gov.uk/adoption-pay-leave/pay>)
- 7.7.2 You are eligible for statutory adoption pay if you:
- Have been on the Federation's payroll continuously for at least 26 weeks by the week you are matched with the child
 - For overseas adoptions, you must have been continuously employed by your employer for at least 26 weeks by the time you start receiving adoption pay

- For cases of surrogacy, you must have been continuously employed for at least 26 weeks up to any day in the 15th week before the expected week of childbirth
- Earn more than the minimum threshold set out on the government's website – see the latest figure at <https://www.gov.uk/adoption-pay-leave/eligibility>
- Have complied with the notification requirements set out in this policy
- For adoptions: have submitted proof of the adoption to the HR Manager (read about the proof you need at <https://www.gov.uk/adoption-pay-leave/how-to-claim>)
- For surrogacy: have submitted a statutory declaration confirming that you have applied or will apply for a parental order in the 6 months after the child's birth. This must be signed in the presence of a legal professional

7.7.3 You will qualify for Contractual Adoption Pay (CAP) if you have been continuously employed by us during the 12-month period ending with the Qualifying Week and have not received any company paternity pay, maternity pay, adoption pay or shared parental pay from our employment during the 12 month period ending with the Qualifying Week. The QW for the CAP calculation is the 11th week prior to the week you were matched with the child.

7.7.4 Payment of the 12 weeks at half pay aspect of the contractual adoption pay is conditional upon you returning to work for at least 13 weeks after adoption leave (and any shared parental leave that you may take in respect of the same child). If you do not return to work for this minimum period, the 12 weeks' half pay must be repaid.

7.7.5 If you return to work on a part-time basis, you will be required to complete 13 weeks' service to retain your Contractual Adoption Pay (CAP). Where part-time hours are worked during this period, any shortfall against the equivalent of 13 weeks' full-time service will be subject to a pro-rata repayment if employment ends before this equivalent service level is met.

7.7.6 CAP is comprised of:

- 4 weeks at full pay (90% is made up from SAP).
- 2 weeks at 90% of contractual pay or SAP at the earnings-related rate whichever is the greater.
- 12 weeks at half pay (where the Employee intends to return to work) in addition to SAP entitlement – total amount not exceeding full pay.
- 21 remaining weeks SAP entitlement at the standard rate.

7.7.7 Employees eligible for (SAP) will have the payments made in the first 6 weeks of absence offset against the payments made under a) and b) above.

7.8 Notice periods for pay

7.8.1 You must give the Federation's Chief Finance Officer 28 days' notice:

- That you want to stop work and adopt a child
- When you want your statutory adoption pay to start

7.8.2 We will confirm within 28 days of this notice how much statutory adoption pay you will receive and when it will start and stop.

7.8.3 Overseas adoptions: you must tell us the date of your 'official notification' and when you expect the child to arrive in the UK within 28 days of getting the notification.

- 7.8.4 Surrogacy: you should tell us within at least 28 days of the date you want your adoption pay to start.

8 SHARED PARENTAL LEAVE AND PAY

- 8.1.1 Eligible staff members and their partners can share up to 50 weeks of leave and up to 37 weeks of pay between them. (Note that the first 2 weeks of leave and pay, starting from the day the baby is born, must be reserved for the person taking maternity or adoption leave). You need to share the pay and leave in the first year after your child is born or placed with your family.
- 8.1.2 You or your partner (whichever of you is taking maternity or adoption leave) needs to take less than:
- 52 weeks of maternity or adoption leave and use the rest as shared parental leave
 - 39 weeks of maternity or adoption pay (or maternity allowance) and take the rest as statutory shared parental pay
- 8.1.3 To take shared parental leave and pay, you and your partner:
- Must share the leave and pay in the first year after your child is born or placed with your family
 - Can take the leave all in one go, or book up to 3 separate blocks of leave.
 - Can choose to be off work together, or stagger your leave and pay.
- 8.1.4 Note that once you or your partner start shared parental leave or pay, you cannot switch back to the original type of leave or pay (e.g. maternity or paternity leave or pay) you were taking.

8.2 Amount of pay

- 8.2.1 Any shared parental pay due during shared parental leave will be paid at a rate set by the government for the relevant tax year, or at 90% of the staff's average weekly earnings, if this figure is lower than the government's weekly rate. See the latest amount on <https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>.

8.3 Eligibility

- 8.3.1 You and your partner need to meet the eligibility criteria set out on the government website – the criteria are different for [birth parents](#), [adoptive parents](#) and [parents using a surrogate](#).

8.4 Applying for leave and pay

- 8.4.1 To start shared parental leave (birth parents), both you and your partner must, with at least 8 weeks' notice before the date you wish to start your shared parental leave, give written opt-in notice, including:
- The name of both parents
 - If you are the child's mother: the start and end dates of your maternity leave
 - If you are the child's father or mother's partner: the start and end dates of the mother's maternity leave, or start and end dates of any statutory maternity pay or maternity allowance period

- The total shared parental leave available, which is 52 weeks minus the number of weeks' maternity leave, statutory maternity pay or maternity allowance period taken or to be taken.
- How many weeks of the available shared parental leave will be allocated to you, and how many to the other parent, as well as shared parental pay.
- If you are claiming statutory shared parental pay: the total available, which is 39 weeks minus the number of weeks of the statutory maternity pay or maternity allowance.
- The start and end dates of each period of shared parental leave that you are requesting. You can change your mind later about how much shared parental leave or pay you plan to take and when you want to take it, as long as you give at least 8 weeks' notice before the date you intend to start your shared parental leave
- Declarations by you and the other parent that you both meet the statutory conditions to enable you to take shared parental leave and statutory shared parental pay

8.4.2 To start shared parental leave (adoption and parents using a surrogate), both you and your partner must, with at least 8 weeks' notice before the date you wish to start your shared parental leave, give written opt-in notice, including:

- Your name
- Your partner's name
- In a UK adoption case: the date the adoption agency notified you of a match, the expected date of a placement and the actual date of placement. If the child has not yet been placed with you, give the actual date of placement as soon as you can, before you take shared parental leave
- In an overseas adoption case: the date you received official notification and the date the child entered Great Britain for adoption purposes. If the child has not yet entered Great Britain, give the actual date of entry as soon as you can, before you take shared parental leave
- If you are taking adoption leave: your adoption leave start and end dates
- If you are not taking adoption leave: your partner's adoption leave start and end dates
- If your partner is not entitled to adoption leave: the start and end dates of their statutory adoption pay
- The total shared parental leave available, which is 52 weeks minus the number of weeks' adoption leave or statutory adoption pay taken or to be taken by you or your partner
- How many weeks of the available shared parental leave 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 don't have to use your full allocation)
- If you are claiming statutory shared parental pay: the total statutory shared parental pay available, which is 39 weeks minus the number of weeks of statutory adoption pay taken or to be taken

- How many weeks of the available statutory shared parental pay 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 don't have to use your full allocation)
- 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
- Declarations by you and your partner that you both meet the statutory conditions to enable you to take shared parental leave and statutory shared parental pay

8.5 For birth parents, adoptive parents and parents using a surrogate

- 8.5.1 The person taking maternity or adoption leave must give their employer 'binding notice' of the date when they plan to end their maternity or adoption leave (unless they have already returned to work). They must give this notice at least 8 weeks before their planned return to work.
- 8.5.2 In order to apply for Shared Parental Leave and Pay, please fill in the forms found at Appendix A, and submit them to the Chief Finance Officer.
- 8.5.3 They can only withdraw the binding notice if the planned end date has not passed and they have not already returned to work, and:
- They discover that they and their partner are not entitled to shared parental leave or statutory shared parental pay, and they withdraw the notice within 8 weeks of giving the notice, or
 - They gave the notice before the birth or placement of the child and withdraw it within 6 weeks of the child's birth or placement, or
 - Their partner has died.
- 8.5.4 To start shared parental pay: the person taking maternity or adoption leave must give their employer 'binding notice' of the date when they plan to end their maternity or adoption pay. You can start shared parental pay while your partner is still on maternity pay, adoption pay or maternity allowance, as long as they have given binding notice to end it.

9 NEONATAL CARE LEAVE AND PAY

- 9.1.1 You may be eligible for statutory neonatal care leave and pay if you or your partner have a baby that needs neonatal medical care.
- 9.1.2 The baby must have been born on or after 6 April 2025, and must:
- Receive neonatal care for a minimum of 7 uninterrupted days, and
 - Enter neonatal care within 28 days of being born
 - Neonatal care covers:
 - Hospital treatment, including any treatment in a special care baby unit (SCBU), local neonatal unit (LNU) or neonatal intensive care unit (NICU)
 - Treatment in a maternity home, clinic or hospital outpatient department
 - Ongoing monitoring and home visits from healthcare professionals, directed by a consultant and arranged by the hospital where the child was an inpatient

- End-of-life (palliative) care

9.2 Eligibility for leave

9.2.1 You're eligible for neonatal care leave if you're taking leave to care for a child and you are:

- The child's parent
- The child's intended parent
- The partner of the child's mother
- The child's adopter or prospective adopter (or partner of the same) including where the child is adopted from overseas
- You must also have or expect to have responsibility for the child's upbringing – or in the case of partners, the main responsibility apart from the child's mother or adopter.
- You are eligible to give notice for neonatal care leave from the first day of employment at the Federation.

9.3 When leave can start

- 9.3.1 You can start neonatal care leave after the baby has received 7 uninterrupted days of neonatal care, not counting the day on which the neonatal care started.
- 9.3.2 The first week of neonatal care before you can start neonatal care leave is called the "waiting period".
- 9.3.3 You can take neonatal care leave at any time after the waiting period, but you must take all leave within 68 weeks of the baby's date of birth.
- 9.3.4 During the waiting period you will most likely already be on maternity, paternity, adoption, or shared parental leave. However, if this is not the case and you need to take time off, please speak to the HR Manager.

9.4 How much leave you can take.

- 9.4.1 The minimum period of neonatal care leave you can take is 1 week, and the maximum is 12 weeks.
- 9.4.2 Each uninterrupted week of neonatal care is called a "qualifying week". Part weeks are not included.
- 9.4.3 If you're adopting: a qualifying week only includes the time that the child spends in neonatal care after the date the child was placed with you or, for adoption from overseas, after the date the child entered Great Britain.

9.5 How it works

- 9.5.1 You must take any period of neonatal care leave in full weeks (meaning 7 consecutive days).
- 9.5.2 There are 2 tiers of leave. Tier-1 leave starts after the waiting period and lasts until 7 days after the baby has left neonatal care.
- 9.5.3 You can either:
- Take tier-1 leave in 1 continuous period, or
 - Split the leave into multiple periods of 1 or more whole weeks

- If the child is discharged from neonatal care, but neonatal care starts again within the first 28 days after birth for a further qualifying week or more, the tier-1 period will resume until 7 days after neonatal care ends.

9.5.4 Tier-2 leave:

- Applies to any leave you take after the tier-1 period ends.
- Can be taken up to 68 weeks after the child's birth.
- Must be taken in 1 continuous block, in whole weeks.

9.6 Giving notice to take leave.

9.6.1 We understand that it may be distressing to have a baby in neonatal care, and that it may be difficult for you to give us the necessary notice for neonatal care leave. If this is the case, please speak to your manager as soon as possible, and we will work with you to come up with an arrangement that works for you.

9.7 Tier-1 leave (from when the baby has been in neonatal care for 7 consecutive days, until 7 days after they've left neonatal care)

9.7.1 You must give us notice of neonatal care leave before you are due to start work. If you've already started work, the neonatal care leave will start on the following day.

9.7.2 If you need leave to continue, you must give us notice again by the end of the preceding week.

9.7.3 You should tell us when the baby leaves neonatal care as soon as possible.

9.7.4 The notice does not need to be in writing

9.8 Tier-2 leave (when the baby left neonatal care more than 1 week ago)

9.8.1 If you wish to take 1 week of leave, you must give us at least 15 days' notice before the first day of leave

9.8.2 If you wish to take 2 or more weeks of leave, you must give us at least 28 days' notice before the first day of leave

9.8.3 You should give us notice for leave in writing.

9.9 Neonatal care pay

9.9.1 Staff eligible for neonatal care leave may also qualify for statutory neonatal care pay if they have:

- Been continuously employed by the Federation for at least 26 weeks by the end of the "relevant week", which is the 15th week before the:
- Expected week of childbirth, or
- Week in which the adoption agency or local authority notified them of a match, or
- Week before neonatal care starts (in any other cases)
- Received normal weekly earnings of not less than the government's "lower earnings limit", over an 8-week period ending with the "relevant week" (see above). See the government's website for the latest "lower earnings limit":
<https://www.gov.uk/employers-neonatal-care-pay-leave/eligibility>

9.10 How much pay you can get

9.10.1 You can find the latest statutory weekly rate of neonatal care pay on the government's website – <https://www.gov.uk/employers-neonatal-care-pay-leave>.

9.10.2 Staff can only be paid statutory neonatal care pay for the whole weeks of neonatal care leave that they take.

9.11 Giving notice for neonatal care pay

9.11.1 Tier-1 period (from when the baby has been in neonatal care for 7 consecutive days, until 7 days after they've left neonatal care): you must give notice for pay within 28 days after the start of your neonatal care leave.

9.11.2 Tier-2 period (when the baby left neonatal care more than 1 week ago): if you want to take:

- 1 week of pay, you must give us at least 15 days' notice before the first day of your tier-2 neonatal care leave
- If you wish to take 2 or more weeks of pay, you must give us at least 28 days' notice before the first day of leave

9.11.3 Details you should provide when giving notice of neonatal care leave and pay

9.11.4 You should provide the following details to the HR Manager, in writing, within 28 days after the start of your neonatal care leave:

- Your name
- The child's date of birth
- The start and end dates of any period of neonatal care (if known)
- The date the period of neonatal care leave started or will start
- The number of weeks you have taken, or intend to take, neonatal care leave
- UK adoption cases: date of the placement
- Overseas adoption cases: the date the child entered Great Britain

9.11.5 You must also provide:

- A declaration that the purpose of your leave is to care for the child.
- A declaration that you have parental responsibility for the child, if this is the first time you're giving notice for neonatal care pay and leave.

9.11.6 You can do this by:

- [Completing a declaration form \(NEO3\) online](#) - you'll need to print this off and post or email it to us.
- Sending an email or letter to the HR Manager.
- If you have more than one baby in neonatal care, you'll need to provide us with information for each baby.

9.12 Cancelling neonatal care leave.

9.12.1 You can:

- Cancel any future planned weeks of neonatal care leave that are due to start in tier 2. You should give written notice of at least 15 days for 1 week of leave, and at least 28 days for 2 or more weeks of leave.
- Return early from tier 2 neonatal care leave by telling the Federation at least 1 week in advance. However, you cannot return part-way through a week of neonatal care leave, as it must be taken in whole weeks.

9.12.2 You cannot cancel notice for leave if the baby is in neonatal care or in the first week after (tier 1).

9.13 Taking neonatal care leave with other types of family leave.

9.13.1 Taking neonatal care leave does not affect your entitlement to other types of family leave and pay, including:

- Maternity leave and pay.
- Adoption leave and pay.
- Paternity leave and pay.
- Shared parental leave and pay.

9.14 Unpaid parental leave.

9.14.1 If you are taking any of these types of family leave at the time the child starts neonatal care, you can take neonatal care leave after the other type of family leave ends. You should give the relevant period of notice and written information set out above.

9.14.2 If your neonatal care leave is interrupted by the start of another pre-booked period of statutory family leave (such as paternity leave, unpaid parental leave or shared parental leave):

- During a tier-1 period (where the baby is in neonatal care or it ended within the last week), you can resume the interrupted neonatal care leave period straight away after the other leave ends
- During a tier-2 period (where the neonatal care ended more than a week ago), you must add the remainder of the interrupted neonatal care leave onto any further period of neonatal care leave that you are intending to take

9.14.3 You must make sure that any neonatal care leave you're taking later than a week after the baby leaves neonatal care is not interrupted by the start of another period of family leave that you've booked. This is because you can only take tier-2 leave in a single block.

9.14.4 You may be able to cancel your Neonatal Care Leave or Statutory Neonatal Care Pay depending on when your leave is due to start.

9.14.5 You can rebook your leave and pay if you give us the [correct notice](#).

9.14.6 You cannot cancel your leave or pay if it was due to start while your baby was still receiving neonatal care (or in the first week after).

- 9.14.7 If your leave or pay is due to start more than a week after your baby has left neonatal care, to cancel your Neonatal Care Leave or Statutory Neonatal Care Pay, you'll need to give us written notice:
- If you're taking:
 - one week's leave - you must let us know you want to cancel at least 15 days before the start of the planned leave
 - 2 or more weeks' leave - you must let us know you want to cancel at least 28 days before the start of the planned leave

10 MISCARRIAGE, STILLBIRTH AND NEONATAL LOSS

- 10.1.1 The loss of a pregnancy can be extremely painful, both physically and mentally. We are committed to supporting all employees who suffer the loss of a pregnancy, whatever the nature of their loss or their length of employment.
- 10.1.2 Miscarriage is where a loss of pregnancy happens before the 24th week. We encourage you to speak to your line manager to enable us to support you as best as we can through this difficult time.
- 10.1.3 We will consider staff absence due to miscarriage as pregnancy-related illness. We will not count this absence when reviewing staff's attendance records.
- 10.1.4 Still birth is where a baby is stillborn or dies after the 24th week of pregnancy.
- 10.1.5 Staff who have had a still birth are entitled to up to 52 weeks of leave, in line with statutory maternity leave and pay.
- 10.1.6 Staff whose partners have had a still birth, or whose babies are born alive at any point during the pregnancy are entitled to statutory paternity leave, and may also be entitled to statutory/occupational paternity pay.
- 10.1.7 In addition, the birth parents, adoptive parents or parents of a child born to a surrogate are entitled to 2 weeks of statutory parental bereavement leave after finishing their maternity or paternity leave.
- 10.1.8 You may also be eligible for statutory parental bereavement pay – read the government's [guidance on statutory parental bereavement and pay](#) to find out more.
- 10.1.9 We understand that, due to the distressing nature of a neonatal loss or stillbirth, it may not be possible for you to notify us immediately afterwards. We will work with you to take care of the administrative side of things so you can focus on processing and recovering from the loss of your pregnancy.

11 ANTENATAL CARE

- 11.1.1 All pregnant staff are entitled to take reasonable time off work, with full pay, to attend antenatal appointments.
- 11.1.2 To be entitled to this, please produce a certificate from your doctor, nurse or midwife that states that you are pregnant. Except for the first appointment, you should advise of any such appointments in advance by producing evidence of the appointment, such as an appointment card.

- 11.1.3 Partners of pregnant staff and intended parents (in a surrogacy or adoption arrangement) are entitled to unpaid time off to accompany the pregnant person to 2 antenatal appointments. You can take up to 6.5 hours per appointment. This does not apply to partners of pregnant staff who are surrogates. You will need to show evidence of these appointments in order for the leave requests to be approved.

12 FERTILITY TREATMENT AND IVF

- 12.1.1 The decision to disclose information about fertility treatment rests entirely with the employee, and there is no obligation to inform the school unless they are requesting leave and pay under this policy.
- 12.1.2 We understand the emotional strain that comes with undergoing IVF treatment and acknowledge the potential anxiety and distress individuals may face throughout the process.
- 12.1.3 Types of leave:
- Medical appointment – this type of leave may be requested for initial consultations, or for investigating reasons for infertility. This comes under the Leave of Absence Policy.
 - Fertility Treatment Leave – this might be used for collecting eggs, implantation and other treatment options.
 - Sickness absence – this type of leave might be used for physically recovering from the effects of the procedure, illness arising from fertility treatment or pregnancy.

12.2 Fertility treatment leave

- 12.2.1 Where possible, please arrange fertility treatment appointments outside of the school day, minimising impact on colleagues and students where ever possible. Where this is not possible, eligible staff are entitled to up to 2 days paid in any 12-month period.
- 12.2.2 This leave is intended for undergoing and recovering from fertility treatment, as well as attending fertility-related appointments, such as consultations and egg collection.
- 12.2.3 If an employee needs time off due to side effects from the treatment, this will be managed under the Federation's standard Sickness Management Policy. Absence due to IVF treatment is not considered pregnancy-related.
- 12.2.4 Fertility Treatment Leave can be taken in a way that best suits the employee's needs, whether as a single block, in separate days, or as half-days, subject to the Federation's operational requirements. For part-time employees, entitlement is pro-rated based on their regular weekly working hours.
- 12.2.5 To request fertility treatment leave, please submit an absence request in the usual way.
- 12.2.6 In the cases of IVF, once a fertilised egg has been implanted in the uterus, the woman is deemed legally to be pregnant.
- 12.2.7 If an IVF cycle is unsuccessful or a pregnancy is not sustained, the woman remains legally protected for an additional two weeks.

12.3 Entitlement to pay and leave for partners

- 12.3.1 Employees may use up to 2 days' paid Federation discretionary (dependants') leave per academic year to support a partner undergoing fertility treatment. This is not additional leave and is deducted from the existing 2-day annual entitlement.
- 12.3.2 Health and safety risk assessments during and after pregnancy

13 STATUTORY PARENTAL BEREAVEMENT LEAVE AND PAY

- 13.1.1 We recognise that any bereavement is difficult, and that the death of a child can be devastating. We will support employees with compassion during this time.
- 13.1.2 The birth parents, adoptive parents or parents of a child born to a surrogate are entitled to two weeks of statutory parental bereavement leave if they suffer the death of a child under the age of 18. This is a day one right.
- 13.1.3 You can either take the leave as either a single block of two weeks, or as two separate blocks of one week, with a 'week' being the same number of days that you normally work in a working week. The weeks can be taken at different times across the first 56 weeks after the child's death.
- 13.1.4 The parental bereavement leave:
- Can start on or after the date of the death or stillbirth.
 - Must finish within 56 weeks of the date of the death or stillbirth.
- 13.1.5 The 56 weeks are split into 2 periods:
- From the date of the child's death or stillbirth to 8 weeks after
 - 9 to 56 weeks after the date of the child's death or stillbirth

13.2 Giving notice

- 13.2.1 If you are giving notice to us within the first 8 weeks after your child's death or still birth, please just inform us before you would normally start work on the first day of the week or weeks you want to take off work.
- 13.2.2 If you are giving notice after this date, please try and give as much notice as possible, and no less than one week prior to the start of the week or weeks you want to take off work.
- 13.2.3 Please inform us of:
- The date of the child's death or stillbirth
 - When you want your parental bereavement leave to begin
 - How much leave you are taking - either 1 or 2 weeks
- 13.2.4 You can give notice verbally or in writing.
- 13.2.5 If you're taking another type of statutory leave (for example, maternity leave 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.

13.2.6 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 still be taken within 56 weeks of the date of death or stillbirth.

13.2.7 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.

13.3 Parental Bereavement Pay

13.3.1 In order to ensure support is available at such a difficult time, any employee who meets the eligibility criteria for parental bereavement leave will be supported with occupational parental bereavement pay in line with this policy.

13.4 Eligibility Requirements

13.4.1 To qualify, you must:

- Be employed by the Federation at the time of the child's death or stillbirth.
- Provide the required notice and information in line with this policy.

13.5 Pay Entitlement

13.5.1 Occupational parental bereavement pay provides up to two weeks' leave paid at your normal basic salary. This payment is inclusive of any Statutory Parental Bereavement Pay that may be due for that period.

13.5.2 Statutory eligibility criteria, including service length and earnings thresholds, will still be applied where relevant for statutory pay purposes; however, these will not prevent access to occupational parental bereavement pay.

14 KEEPING IN TOUCH DURING LEAVE

14.1.1 Staff and their line manager should discuss how often they will communicate while the staff member is on leave, and what form the communication will take. If you have any questions or concerns, please speak to your line manager.

14.1.2 Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events.

15 KEEPING IN TOUCH (KIT) DAYS

15.1.1 Employees can work up to 10 days during their maternity or adoption leave. Note that these days must not be within the first two weeks after the child is born. To request KIT days please agree them with your line manager and submit a payroll claim form in advance to the HR team.

15.1.2 These working days are known as KIT days and are:

- Paid – 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 maternity pay entitlement.
- Working a part KIT day will count as working 1 full day, but you would only be paid for the hours worked.

- Entirely voluntary – you need to agree to them with your line manager and the Executive Principal, as they are subject to Federation requirements.
- Please note that should you work more than 10 KIT days, your period of maternity will be deemed to have ended and SMP would cease.

15.2 Shared parental leave in touch (SPLIT) days

- 15.2.1 Staff can work up to 20 days during shared parental leave. This is in addition to the 10 KIT days staff can take while on maternity or adoption leave (see above), and they are taken on the same terms.

16 EMPLOYMENT TERMS AND CONDITIONS WHILE ON LEAVE

- 16.1.1 Your employment terms and conditions are protected when you are on maternity, paternity, adoption and shared parental leave. You are entitled to any pay rises and improvements in terms and conditions during this time.

- 16.1.2 Maternity, paternity, adoption and shared parental leave are regarded as continuous employment for the purpose of calculating entitlement to statutory employment rights.

16.2 Redundancy – for maternity leave only:

- 16.2.1 If your role is affected by a redundancy situation occurring during your leave, we shall write to you to inform you of any proposals and shall invite you to a meeting before any final decision is reached.

- 16.2.2 You will be given first refusal on any suitable alternative vacancies that are appropriate to your skills, provided that you:

- Have notified us of your pregnancy, or
- Are on maternity leave, or have returned from maternity leave and are within an additional protected period of 18 months from either:
 - The first day of the expected week your baby was born
 - When your baby was born if the 2 dates are different (where notified to us)

- 16.2.3 For those on maternity leave, the period protected from redundancy includes the entire pregnancy, as well as 18 months from the first day of the estimated week of childbirth.

- 16.2.4 Adoptive parents will be protected from redundancy from 18 months from placement for adoption.

- 16.2.5 For shared parental leave, the protected period will be 18 months from birth, provided the parent has taken at least 6 consecutive weeks of shared parental leave.

16.3 Pensions:

- 16.3.1 You will continue to be entitled to pension contributions during periods of leave that are paid, provided you make the necessary minimum contributions based on the pay you are receiving. Pension contributions will stop during any unpaid periods of leave.

16.4 Annual leave entitlements:

- 16.4.1 Your annual leave entitlement will continue to accrue during periods of leave. All-year-round support staff can take any holiday that you have accrued before or after your maternity, paternity, adoption or shared parental leave. For teachers and term-time only support staff, annual leave is taken during school closure periods in line with contractual arrangements. Any annual leave accrued during family-related leave will therefore be deemed to have been taken during these closure periods and cannot be taken at another time.

17 RETURNING TO WORK

17.1 Returning to work after maternity, paternity, adoption or shared parental leave

17.2 Your right to your job (all staff)

17.2.1 Where you have been on leave for:

- 26 weeks or less (for shared parental leave this means 26 weeks between both partners): you are normally entitled to return to the same job in which you were employed under your original contract, and on terms and conditions that are at least as favourable.
- More than 26 weeks (for shared parental leave this means 26 weeks between both partners): you are normally entitled to return to the same job in which you were employed under your original contract, unless the Federation has a good reason to offer you another job. If your job no longer exists or there have been changes to the organisation, the Federation will offer you a suitable alternative job that has the same or better terms or conditions.

17.3 Changing your return date

- 17.3.1 If you wish to return to work earlier than the Expected Return Date, you must give us 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 eight weeks after you gave notice, or to the Expected Return Date if sooner.

17.3.2 If you wish to return later than the Expected Return Date, you should either:

- Request unpaid parental leave, giving us as much notice as possible but not less than 21 days; or
- If relevant, request paid annual leave in accordance with your contract, which will be at our discretion.

17.3.3 Please note that:

- 17.3.4 Staff may be able to take unpaid parental leave immediately following the end of their leave period. If you wish to do this, discuss it with the Executive Principal as soon as possible. Further information on unpaid parental leave is detailed within this policy.

- 17.3.5 If a staff member is unable to return to work at the end of their leave due to sickness, the Federation's sick pay scheme will apply. Further information is within employment contracts and the Federation Sickness Management Policy.

17.4 Deciding not to return

- 17.4.1 If you do not intend to return to work after a period of maternity, adoption or shared parental leave, or are unsure, it is helpful if you discuss this with us as early as possible. The amount of leave you have left to run when you give notice must be at least equal to your contractual notice period, otherwise you may be required to return to work for the remainder of the notice period.
- 17.4.2 This does not affect your right to receive SMP/SAP/SHPP.
- 17.4.3 Further information is within each relevant section of this policy.

18 BREASTFEEDING

- 18.1.1 If you intend to continue breastfeeding after returning to work from maternity leave, please speak to your line manager or the HR Manager as soon as possible so that we can support you the best we can.
- 18.1.2 We will provide a suitable area where staff who are breastfeeding can rest, for example an unoccupied office that can be discreetly screened and a fridge in which to store your milk, if relevant.

19 UNPAID PARENTAL LEAVE

- 19.1.1 This section refers to the rights that staff have to unpaid parental leave after they have finished maternity, paternity or shared parental leave; it should not be confused with maternity, paternity or shared parental leave itself.
- 19.1.2 Eligible employees are entitled to take unpaid leave to look after their child's welfare, for example to settle children into new childcare arrangements.
- 19.1.3 The statutory entitlement is for 18 weeks' leave in total for each child and adopted child, up to their 18th birthday.
- 19.1.4 The limit on how much unpaid parental leave each parent can take in a year is 4 weeks for each child.
- 19.1.5 Unpaid parental leave must be taken as whole weeks rather than individual days, unless the employee's child is disabled. The leave doesn't have to be taken all at once.
- 19.1.6 A 'week' equals the length of time an employee normally attends work from Monday to Friday, e.g. if an employee works 3 days per week, one 'week' of unpaid parental leave would be 3 days.
- 19.1.7 Employees who meet the criteria set out below are entitled to take up to 18 weeks' unpaid parental leave in relation to each child for whom they are responsible.
- 19.1.8 To take a period of parental leave in relation to a child, you must:
 - Have or expect to have responsibility for the child, and
 - Be taking the leave to spend time with the child or otherwise care for them
 - You have responsibility for a child if you:
 - Are the child's biological mother or father (whether or not you are living with the child)

- Are the child's adoptive parent
- Otherwise have legal parental responsibility for the child, for example, if you are the child's guardian, or a step-parent who has a parental responsibility agreement or parental responsibility order

19.1.9 Unpaid parental leave can be carried over from a previous job.

19.1.10 Employees should give as much notice as possible when requesting unpaid parental leave.

19.1.11 Requests must be submitted at least 21 days before the intended start date, and include a copy of the child's birth certificate or adoption papers, as well as the intended start and end dates of your leave.

19.1.12 We may postpone the parental leave for up to 6 months if it is going to be disruptive to the effective running of the Federation.

19.2 Taking unpaid parental leave immediately after maternity, paternity, adoption or shared parental leave

19.2.1 Speak with your line manager if you wish to take unpaid parental leave immediately following:

- Maternity and adoption leave. You will not be required to refund occupational maternity pay/contractual adoption pay unless you do not return to work at the Federation for at least 13 weeks after you finish your unpaid parental leave. If you reduce your hours when you return to work, the obligation remains to work for 13 weeks to retain the OMP/CAP, with a pro-rata repayment required.
- Paternity leave.
- Shared parental leave.

19.3 Staff rights during unpaid parental leave

19.3.1 Your employment rights, such as the right to pay and annual holiday, are protected during unpaid parental leave.

19.3.2 Where you are on unpaid parental leave for:

- 4 weeks or less: you are guaranteed the same job in which you were employed under your original contract, and on terms and conditions that are at least as favourable.
- More than 4 weeks: you are guaranteed the same job in which you were employed under your original contract, unless the Federation has a good reason to offer another job. If the job no longer exists or there have been changes to the Federation, we may offer you a suitable alternative job that has the same or better terms or conditions, if available.

20 TIME OFF FOR DEPENDANTS

20.1.1 Employees have a statutory entitlement to take reasonable unpaid time off in order to take action which is necessary:

- To provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted,
- To make arrangements for the provision of care of a dependant who is ill or injured,
- To deal with the death of a dependant, for example registering the death and making funeral arrangements,
- Because of the unexpected disruption/termination of arrangements for the care of a dependant, or
- To deal with an emergency involving their child during school hours.

20.1.2 A dependant for the purposes of this policy is:

- your spouse, partner, civil partner, parent or child;
- a person who lives in the same household as you, but who is not your tenant, lodger, boarder or employee; or
- anyone else who reasonably relies on you to help in the event of an accident, illness or injury, such as an elderly neighbour;
- a person who relies upon you to make care arrangements.

20.1.3 For clarification, if your dependant is ill or injured, the right to take reasonable time off work is in order to 'make arrangements for the provision of care of the dependant'.

20.1.4 Dependants' leave applies to time off to take action which is necessary because of an immediate or unexpected crisis. It does not apply where you need to take planned time off or provide longer-term care for a dependant. If this is the case, you should take advice from the Vice Principal with responsibility for staff attendance management, the Federation Chief Finance Officer or the Executive Principal.

20.1.5 Statutory unpaid time off will not affect employees' overall performance review grade for attendance.

20.2 Federation paid dependants' leave

20.2.1 In addition to the statutory unpaid entitlement detailed above, which would usually not be more than 1 working week of unpaid leave per academic year, employees can request up to two days of paid dependants' leave which is granted at the discretion of the Executive Principal.

20.2.2 This can also be requested by employees who wish to support their dependants with foreseeable events, such as accompanying them to medical appointments.

20.2.3 Federation paid dependants' leave does affect employees' overall performance review grade for attendance.

21 EARLY CAREER TEACHERS

- 21.1.1 Early career teachers (ECTs) who are serving their induction period or an extension to their induction period can decide to extend this period to reflect the number of days they have been absent due to:
- Maternity leave
 - Paternity leave
 - Adoption leave
 - Shared parental leave
 - Parental bereavement leave
- 21.1.2 The ECT should seek advice before deciding, by discussing it with their link Vice Principal.
- 21.1.3 The Federation will not make any outstanding assessments until the ECT returns to work and has had the opportunity to decide whether to extend (or further extend) their induction period.
- 21.1.4 If the ECT chooses not to extend (or further extend) the induction period, we will assess their performance against the Teachers' Standards.

22 LINKS TO OTHER POLICIES

- 22.1.1 This policy links to the following policies:
- Leave of Absence policy
 - Data Protection policy
 - Health and Safety policy
 - Staff Safer Care Code of Conduct
 - Staff Sickness Management Policy
 - Staff Academy Pay Policy

SHARED PARENTAL LEAVE AND PAY OPT-IN FORM (BIRTH)

Use this form to opt in to the shared parental leave scheme following the birth of a child. Please see our Shared Parental Leave (Birth) Policy for more information. A separate form is available for adoptive parents.

If you are the child's mother you must also submit a signed curtailment notice to bring your maternity leave and pay entitlement to an end.

Please discuss your proposed pattern of leave with your manager before completing the form.

Section A: Basic information		
Guidance notes. Shared parental leave may be shared between a child's mother and either the child's father or the person who, at the date of the child's birth, is her partner. Both parties must expect to share the main responsibility for the child's upbringing. "Partner" means the mother's spouse, civil partner, or other person living with her in an enduring family relationship, but who is not her sibling, parent, child, grandparent, grandchild, aunt, uncle, niece or nephew.		
A1	Employee's name	
A2	I am the child's mother*/child's father*/mother's partner* (*delete as appropriate)	
A3	Child's expected week of birth	
A4	Child's actual date of birth (if known)	
A5	Child's place of birth (if known)	
A6	Child's name (if known)	

Section B: Maternity leave, statutory maternity pay or maternity allowance		
Guidance notes. If you are the mother, please give your maternity leave (ML) and statutory maternity pay (SMP) dates below. If you are still on ML you must also submit a maternity leave curtailment notice to bring your ML to an end. If you are the child's father or the mother's partner, please give the mother's ML dates. If she is not entitled to statutory ML (for example, because she is an agency worker, self-employed or unemployed), give the dates she started and ended (or will end) her statutory maternity pay (SMP) or maternity allowance (MA) period as applicable. She must give her employer notice to curtail her ML and/or SMP period, or give notice to the Department for Work and Pensions to curtail her MA period as appropriate. Maternity pay can only be curtailed after a whole number of weeks. For example, if the maternity pay period started on a Wednesday, it can only be curtailed on a Tuesday. These figures are needed in order to calculate your entitlement to shared parental leave and pay.		
B1	I am taking or will take maternity leave* My partner is taking or will take maternity leave* My partner is not entitled to statutory maternity leave but is receiving or will receive statutory maternity pay or maternity allowance*	☐ ☐ ☐ (*tick one only)
B2	Maternity leave start date	
B3	Maternity leave end date	
B4	Total maternity leave (weeks)	
B5	Statutory maternity pay or maternity allowance start date	
B6	Statutory maternity pay or maternity allowance end date	
B7	Total period of statutory maternity pay or maternity allowance (weeks)	

Section C: Shared parental leave		
Guidance notes. The total shared parental leave (SPL) available is 50 weeks minus the mother's ML period. If she is not entitled to ML, it is 50 weeks minus the SMP or MA period (see section B). SPL must be taken in whole numbers of weeks. If you need help working this out please speak to the Chief Finance Officer. You first period of shared parental leave cannot start until at least eight weeks after you submit this opt-in notice and a period of leave notice.		
C1	Total SPL available (whole weeks).	
C2	Number of whole weeks' SPL intended to be taken by you.	
C3	Number of whole weeks' SPL intended to be taken by the person you will share SPL with.	
C4	Indication of dates you would like to take shared parental leave.	
C5	The dates in C4 will be treated as non-binding until you give a period of leave notice. If you want to treat this notice as a period of leave notice to take SPL on the dates given in C4 tick here.	
Section D: Statutory shared parental pay		
Guidance notes. The total statutory shared parental pay (ShPP) available is 37 weeks minus the number of weeks SMP or MA paid (or to be paid) to the mother (see section B).		
D1	Total ShPP available (whole weeks).	
D2	Number of whole weeks ShPP intended to be taken by child's mother.	
D3	Number of whole weeks ShPP intended to be taken by child's father/mother's partner.	
D4	Indication of dates you would like to claim ShPP.	

D5	The dates in D4 will be treated as non-binding until a notice to take ShPP is given. If you want to treat this notice as a notice to claim ShPP on the dates given in D4 tick here.	
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Section E: Employee's declaration
Guidance notes. "Child" means the child referred to in Section A. "Partner" means spouse, civil partner, or other person living with you in an enduring family relationship, but not a sibling, parent, child, grandparent, grandchild, aunt, uncle, niece or nephew.
I am the child's mother and I am entitled to statutory ML. I have submitted a curtailment of maternity leave notice (or will submit it before the person I am sharing SPL with takes SPL and at least eight weeks before the first date on which I intend to take SPL).* or I am the child's father or the child's mother's partner.* (*delete one as applicable.) I had at least 26 weeks' continuous employment at the end of the 15th week before the expected week of childbirth (EWC) and have remained continuously employed since then. My normal weekly earnings in the eight-week period ending with the 15th week before the EWC were not less than the lower earnings limit. <i>(delete if not applicable)</i> I expect to share the main responsibility for the care of the child with the person who has completed the declaration in Section F. I intend to care for the child during each week that I am on shared parental leave and receiving ShPP. I will immediately inform the Chief Finance Officer if I cease to care for the child, or to otherwise satisfy the conditions for entitlement to shared parental leave or ShPP. The information I have given in this notice is accurate. SignedDate.....
Section F: Declaration by person taking shared parental leave with employee
Guidance notes. "The employee" and "the child" are the employee and child referred to in Section A.

If the employee is the child's mother, you must be the child's father or the mother's partner.

If the employee is not the child's mother, you must be the child's mother.

"Partner" means spouse, civil partner, or other person living with you in an enduring family relationship, but not a sibling, parent, child, grandparent, grandchild, aunt, uncle, niece or nephew.

Name	
Address	
National Insurance number	

You employer's name and address (if employed) or your business address if self-employed.	
I am the mother of the child and I am (or was) entitled to ML, SMP or MA. I have curtailed my ML, SMP or MA, or will have done so by the time your employee starts parental leave.* or I am the child's father.* or I am the partner of the child's mother.* (*delete as applicable) I expect to share the main responsibility for the care of the child with the employee. I have worked in an employed or self-employed capacity in at least 26 of the 66 weeks immediately before the EWC. My average weekly earnings are at least £....., taking the 13 highest-earning weeks in the 66 weeks immediately before the EWC, they do not need to be consecutive. I consent to the employee taking shared parental leave and claiming ShPP as set out in this notice and will immediately inform them if I cease to satisfy any of the conditions in this declaration. I consent to the information in this declaration being used for the purposes of administering shared parental leave and pay. Signed Date	