

# St Lawrence CE Primary School



## Maternity & Family Policy

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Version 1.0

This document has been reformatted to a new St Lawrence CE Primary School standard template and all version numbers have been reset, as part of the review of all policies in November 2011.

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## Version History

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# Maternity & Family Leave Policy

**Introduced: 2017**

**Developed by: Human Resources**

**Review Date:**

## **Introduction**

The Governing Body are committed to ensuring employees are aware of all the different options available to them when considering how best to care for their child/family. This policy sets out employees' entitlement to take maternity leave and/or other types of family leave.

<b>Rights for Mothers</b>	<b>Rights for Fathers &amp; Partners</b>	<b>Rights for Adoptive Parents</b>
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Maternity Leave	Paternity Leave	Adoption Leave
Shared Parental Leave	Maternity Support Leave	Paternity Leave
Unpaid Parental Leave	Shared Parental Leave	Maternity Support Leave
	Unpaid Parental Leave	Shared Parental Leave
		Unpaid Parental Leave

This policy should enable School to manage leave fairly, consistently and in line with employment legislation and best practice guidance. It should also equip Governors, Head Teachers and line managers with the tools to effectively manage maternity and family leave.

If changes to working patterns are required, please refer to the **Flexible Working policy**.

### Policy Sections

1. Maternity Leave
2. Paternity Leave
3. Adoption Leave (including surrogacy)
4. Shared Parental Leave
5. Unpaid Parental Leave

### Key Terms

The policy uses the following key terms:

- ⇒ **'Expected week of childbirth'** means the week, starting on a Sunday, during which the baby is due.
- ⇒ **'Qualifying week'** means the 15<sup>th</sup> week before the expected week of childbirth.
- ⇒ **'MATB1' or Maternity certificate** is issued by the doctor or midwife around the 26<sup>th</sup> week of pregnancy. It confirms the date on which the baby is due.
- ⇒ **'Compulsory Maternity Leave'** is the two weeks from the date of childbirth.
- ⇒ **'Matching Date'** is the date that the adopter receives confirmation that they have been matched with a child.
- ⇒ **'Expected Date of Placement'** is the expected date the child starts living with the adopter.



- ⇒ **‘Actual Date of Placement’** might be the same as the Expected Date of Placement or may be different. It is the date that the child is placed with the adopter.
- ⇒ **‘Partner’** means the father of the child, or the person who, at the date of the child’s birth, is married to, the civil partner of, or the partner of the mother. This includes someone, of either sex, who lives with the mother and the child in an enduring family relationship but who is not the mother’s child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

## **Section 1**

### **Maternity Leave Scheme**

#### **1.1 Pregnancy**

##### **Notification of pregnancy**

As soon as an employee notifies her Head Teacher /line manager that she is pregnant, the Head Teacher/line manager should carryout a risk assessment which assesses the steps taken to avoid any identified risks, such as altering the employee’s working conditions.

By the end of the qualifying week or as soon as possible thereafter, a pregnant employee must inform her Headteacher/line manager in writing of:

- the fact that she is pregnant,
- her expected week of childbirth; and
- the date on which she expects to start her maternity leave.

She must also:

- Provide a copy of her MATB1 form from her GP or Midwife which confirms her expected week of childbirth to her line manager.
- Complete a **Maternity Leave Application Form** confirming the date that maternity leave will commence and submit it to her Headteacher/line manager.

The School should forward Maternity Leave Application forms to their HR Officer. The HR Officer will provide written confirmation of leave plans within 28 days of receiving the Maternity Leave application form, which will confirm the expected return to work date if the full 52-week entitlement to maternity leave is taken.

An employee is permitted to bring forward her maternity leave start date provided she advises her Head Teacher at least 28 days before the new start date, or as soon as reasonably practicable.

The employee may also postpone her maternity leave start date provided that she advises her Head Teacher/line manager in writing at least 28 days before the original proposed start date, or as soon as reasonably practicable.

##### **Time off for antenatal care**

All pregnant employees are entitled to paid time off to attend antenatal appointments as advised by her doctor, registered midwife or health visitor.

After the initial appointment the Head Teacher /line manager may request to see the antenatal appointment card.

Under The Children and Families Act 2014, **prospective fathers and partners of pregnant women** are entitled to unpaid time off to attend **two** antenatal appointments (up to a maximum of six and half hours for each appointment).

### **Protection against discrimination on grounds of pregnancy**

Pregnant employees are entitled not to be subjected to any type of unfavourable treatment related to their pregnancy or impending absence on maternity leave.

### **Sickness absence**

Employees absent from work during pregnancy due to sickness will receive contractual sick pay in accordance with the sick pay scheme.

Where employees are absent from work for a pregnancy related illness after the beginning of the fourth week before her Expected Week of Childbirth, maternity leave will start automatically.

❖ Further information can be found in Guidance Note 1 – Pregnancy and Work.

## **1.2 Maternity Leave**

All employees, regardless of hours worked or length of service are entitled to take up to 26 weeks ordinary maternity leave and up to 26 weeks additional maternity leave (52 weeks in total).

All employees who take maternity leave have the right to return to work at any time during either ordinary maternity leave or additional maternity leave except during the compulsory maternity leave period, subject to the correct notification procedures being followed. The compulsory maternity leave period is **two weeks**.

Employees are entitled to start maternity leave at any time after the beginning of the 11<sup>th</sup> week before the Expected Week of Childbirth.

Maternity leave will start on whichever date is the earlier of:

- The employee's chosen start date.
- The day after the employee gives birth.
- The day after any day on which the employee is absent for a pregnancy related reason in the four weeks before the Expected Week of Childbirth.

❖ Further information can be found in Guidance Note 2 – Maternity Leave.

### 1.3 Keeping In Touch (KIT) days

During maternity leave it is important that Head Teachers /line managers and employees maintain reasonable contact.

Employees can agree to work or attend training for *up to 10 Keeping In Touch days* during maternity leave without bringing the period of maternity leave to an end.

KIT days cannot be worked during the compulsory maternity leave period. They can be taken individually, consecutively or a mixture of both. Working for part of a day will count as a whole day out of the 10 days entitlement. However, payment will be for the actual amount of time worked.

KIT days will be paid at the employee's normal contractual rate. If the KIT day falls within a period when the employee is receiving maternity pay, this will be a top-up payment to the level of her normal contractual rate.

❖ Further information can be found in Guidance Note 3 – KIT / SPLIT Days.

### 1.4 Returning to Work

All employees will be advised in writing, by HR, of the date on which they are expected to return to work if they take their full 52-week entitlement to maternity leave.

Employees are expected to return on this date, unless they notify their Head Teacher otherwise. If an employee wishes to return to work earlier than the expected return date, she must give at least *8 weeks written notice* of her date of early return. If 8 weeks notice is not given, the Headteacher may postpone the return.

Employees are under no obligation to indicate their intended return to work date earlier than the timescales indicated above, however, employees are encouraged to discuss their plans for their return as early as possible. This is to assist the Headteacher in their planning for the School.

If an employee is unwell at the end of her maternity leave due to sickness or injury, the School's normal arrangements for absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If an employee decides not to return to work after maternity leave, she must give notice as soon as possible and in accordance with the terms and conditions of her contract of employment. Employees in receipt of contractual maternity pay will be required to repay the full amount of contractual maternity pay received should they not return to work for a minimum of 3 months.

#### **Rights on and after return to work**

On resuming work after *ordinary maternity leave*, an employee is entitled to return to the post that she occupied before commencing maternity leave on the same terms and conditions of employment.

On resuming work after *additional maternity leave*, an employee is entitled to return to the post occupied before commencing maternity leave on the same terms and conditions of employment had she not been absent. However, if it is not reasonably practicable she may be offered suitable alternative work on terms and conditions that are no less favourable.

## Flexible working

All employees have the right to request flexible working arrangements, including women returning to work following maternity leave. The Flexible Working Policy should be followed when making such a request.

## 1.5 Maternity pay

Eligible employees are entitled to receive maternity pay during the first 39 weeks of maternity leave. The level of payment is dependent on length of service and earnings.

### Statutory Maternity Pay

Statutory maternity pay is payable to eligible employees for up to 39 weeks during maternity leave.

An employee is eligible for SMP if she:

- has been continuously employed for at least 26 weeks at the end of the qualifying week,
- has average weekly earnings of not less than the lower earning limit (**currently £112 per week as per HMRC**) for NI purposes, which applies at the end of the qualifying week,
- is still pregnant at the 11<sup>th</sup> week before the baby is due or has had the baby by that time; and
- has provided a MATB1 form.

### Maternity Allowance

Women who are not entitled to statutory maternity pay may be entitled to Maternity Allowance from the government. To apply for Maternity Allowance, the employee must complete a MA1 Form.

### Contractual Maternity Pay – Teachers

Teachers who have completed less than 1 year's continuous service with one or more Local Authority at the 11<sup>th</sup> week before the baby is due is entitled to SMP only.

Teachers who have completed more than 1 year's continuous service at the 11<sup>th</sup> week before the baby is due with one or more Local Authorities will be entitled to pay detailed below:

Weeks 1-4	Weeks 5-6	Weeks 7-18	Weeks 19-39	Weeks 40-52
Full pay which includes SMP or MA if applicable	90 % of a weeks salary which includes SMP or MA if applicable	Half pay plus SMP (deductions are made if the total exceeds full pay)	SMP	Nil Pay

The amount of contractual maternity pay paid will be recovered if the employee does not return to work for a minimum of 3 months.

### **Contractual Maternity Pay – Non Teaching Employees**

Employees with at least 12 months continuous service at the 11<sup>th</sup> week before the baby is due are entitled to receive contractual maternity pay. This can be paid either as a lump sum when the employee returns to work or can be paid monthly while she is on leave.

The amount of contractual maternity pay paid will be recovered if the employee does not return to work for a minimum of 3 months.

### **Contractual Maternity Pay Rates**

Weeks 1-6	Weeks 7-18	Weeks 19-39	Weeks 40-52
90% of an average week's pay	Half an average week's pay + flat rate SMP	Flat rate SMP <i>or</i> 90% of earnings (if less than SMP)	Nil Pay

Where a *pay rise* is awarded which is effective at any time from the start of the set period used to work out SMP and the end of maternity leave, SMP must be re-calculated.

Where *salary sacrifice* arrangements are in place during the period used to work out SMP average weekly earnings, the calculation will be based on contractual earnings which count for NI contributions.

## **1.6 Terms and conditions of employment**

During maternity leave, terms and conditions of contract remain in place, subject to some exceptions including pay.

### Continuous Service

Continuous service continues to accrue during maternity leave.

### Annual Leave

Contractual annual leave entitlement continues to accrue during maternity leave (ordinary and additional maternity leave).

Employees will also be credited with a substituted day/s of paid leave for any bank holiday/concessionary holiday which falls during their maternity leave period

### Salary Sacrifice

Each salary sacrifice scheme has its own arrangements during maternity leave. Employees should refer to the individual scheme details to find out arrangements during periods of maternity leave.

### Pensions

Employee and Employer pension contributions continue to be payable on any contractual or statutory maternity pay which is paid. Pension contributions are also payable on any KIT days worked.

- ❖ Further information can be found in [Guidance Note 4 – Maternity Leave and Pensions](#)

## **Section 2**

### **Paternity Leave Scheme**

#### **2.1 Purpose**

Paternity leave enables eligible employees i.e. new fathers or the partner or spouse of the mother to take time off to care for the child or to support the child's mother.

This right also applies to those who are adopting a child.

There are two separate schemes identified in this section; Statutory Paternity Leave and Maternity Support Leave.

Only one period of leave is provided per pregnancy / adoption.

#### **2.2 Statutory Paternity Leave**

Statutory paternity leave is an entitlement to take *up to 2 weeks* leave.

This is paid at the Statutory Paternity Pay rate or 90% of average weekly earnings (whichever is lower).

Leave must be taken in blocks of either one week or two weeks taken together. It cannot be taken in odd days.

Statutory paternity leave cannot start before the actual date of birth and can only be taken during the 56 days after the actual date of birth, or if the child is born early, up to 56 days after the Expected Week of Childbirth.

#### **Teachers Paternity Pay**

In addition to the entitlement above, teachers will also receive 2 days at full pay as part of the payment.

#### **Eligibility**

Statutory paternity leave applies to all eligible employees who meet the following qualifying criteria:

- either the biological father, married to the mother or partner of the mother,
- must have, or expects to have, responsibility for the child's upbringing,
- taking the time off to support the mother and/or care for the new child,

- ☑ have been continuously employed by the Council for 26 weeks ending with the 15th week before the Expected Week of Childbirth; and
- ☑ continues to be employed by the Council from the qualifying week (15 weeks before Expected Week of Childbirth) up until the birth of the baby.

### **Notification**

Employees wishing to take statutory paternity leave must complete a **Paternity/Maternity Support Application Form** and submit it to their line manager by the end of the 15<sup>th</sup> week before the EWC. 28 days notice is required if an employee wishes to change their request.

A copy of the child's birth / matching certificate should be provided with the application form. If the birth / matching certificate is not available (i.e. because the child has not been born yet), it should be provided as soon as reasonably practicable.

### **Terms and conditions of employment**

During statutory paternity leave, terms and conditions of contract remain in place, subject to some exceptions including pay.

#### Continuous Service

Continuous service continues to accrue during statutory paternity leave.

#### Annual Leave

Contractual annual leave entitlement continues to accrue during statutory paternity leave.

Employees will also be credited with a substituted day/s of paid leave for any bank holiday/statutory holiday which falls during their statutory paternity leave period.

#### Salary Sacrifice

Each salary sacrifice scheme has its own arrangements during maternity leave. Employees should refer to the individual scheme details to find out arrangements during periods of statutory paternity leave.

#### Pension

Pension contributions continue to be payable on any statutory paternity pay which is paid.

## **2.3 Maternity Support Leave**

Maternity support leave is a contractual entitlement to take 5 days leave at full pay.

This should be taken at a time mutually agreed by the employee and line Manager.

Employees eligible to take Maternity Support Leave may choose to take a maximum of 2 weeks paternity leave comprising of one week of paid maternity support leave and one week of statutory paternity leave (notification requirements for statutory paternity leave still apply in these circumstances).

### **Eligibility**

Maternity Support Leave only applies to staff employed under NJC Conditions of Service (this does not apply to employees employed on Teacher contracts) where they are either:

- the child's father,
- the partner of an expectant mother; or
- a nominated carer of the expectant mother.

There is no minimum length of service requirement.

### **Notification**

Employees requesting maternity support leave should provide reasonable notice and should complete a **Paternity/ Maternity Support Application Form** and submit it to their line manager.

If an employee intends to take an additional week of statutory paternity leave, the notice requirements will apply.

### **Terms and conditions of employment**

During maternity support leave, all terms and conditions of contract will continue.

Pension contributions continue to be payable on any maternity support leave pay which is paid.

## **Section 3 Adoption Leave Scheme**

### **3.1 Introduction**

There are two separate schemes identified in this section; **statutory adoption scheme** and **Telford & Wrekin Council adoption scheme** which Governors have adopted. Surrogacy also falls into the category of adoption.

### **3.2 Statutory Adoption Scheme**



### 3.2.1 Eligibility

The adoption provisions apply to eligible employees (male and female) where a child is newly matched for adoption. They do not apply when a step-parent is adopting a partner's child.

The adoption leave scheme is available to only one member of the couple where a couple adopt jointly. The couple must choose which partner takes adoption leave (adopter). The other may qualify for paternity leave and / or shared parental leave and / or unpaid parental leave

For surrogacy arrangements, if the intended parents have applied, or intend to apply, for a 'parental order' then, subject to meeting qualifying conditions, the nominated 'primary' adopter will be entitled to take adoption leave and pay.

Eligible employees are entitled to take up 52 weeks adoption leave. This is made up of 26 weeks ordinary adoption leave and up to 26 weeks additional adoption leave.

### 3.2.2 Notification requirements

Employees are encouraged to tell their Headteacher that they are intending to adopt as soon as possible.

Within 7 days of being matched with a child, employees wishing to take adoption leave must complete an **Adoption Leave Application Form** to notify their Headteacher of:

- the expected date of placement;
- when they wish adoption leave to start; and
- how much adoption leave they wish to take.

Employees should also provide a Matching Certificate to their Headteacher as evidence for entitlement to statutory adoption pay and adoption leave. The Matching Certificate provides information on matching and expected placement dates.

For overseas adoptions, employees must also provide the relevant UK authority's "official notification" which confirms permission to adopt from abroad.

Headteachers should forward the **Adoption Leave Application form** and supporting documentation to HR. HR will provide written confirmation of leave plans within 28 days of receiving the Adoption Leave Application Form, which will confirm the expected return to work date if the full 52-week entitlement to adoption leave is taken.

An employee must inform their Headteacher within 28 days if the expected date of placement (or UK arrival date for overseas adoptions) changes.

Employees who use a surrogate to have a baby must inform their Headteacher at least 15 weeks before the expected week of birth of:

- the date the baby is due;
- and when they want adoption leave to start

A copy of the "statutory declaration" to confirm they have applied for/will apply for a Parental Order in the 6 months after the child's birth must also be provided.

### 3.2.3 Timing of adoption leave

Adoption leave can start:

- From the date the child is placed or from a fixed date up to 14 days before the date of placement for UK adoptions; or
- From the date the child arrives in the UK or within 28 days of this date for overseas adoptions.

### 3.2.4 Time off to attend formal appointments

The adopter is eligible to take **paid** time off for up to five adoption appointments for a maximum of 6.5 hours on each occasion. The secondary adopter will be entitled to take **unpaid** time off for up to two appointments for a maximum of 6.5 hours on each occasion.

Employees should give the Headteacher as much notice (in writing) as possible about the formal appointments.

To be eligible for time off, the appointment must have been arranged by or at the request of the adoption agency.

The time off must be taken before the date of the child's placement for adoption and the purpose of the appointment should be:

- ✓ to enable the employee (and his/her partner) to have contact with the child (e.g. to bond with him/her before placement); or
- ✓ for any other purpose connected with the adoption (e.g. to meet professional involved in the care of the child).

### 3.2.5 Statutory Adoption Pay

If eligible, statutory adoption pay is payable for up to 39 weeks during adoption leave.

To qualify for statutory adoption pay for UK and overseas adoptions, employees must have:

- average weekly earnings of not less than the lower earning limit for NI purposes, which applies at the end of the 15<sup>th</sup> week before the Expected Date of Placement,
- given the correct notice; and
- provided proof of the adoption.

Employees who do not meet the qualifying criteria for statutory adoption pay will be provided with a **SAP1 form**.

#### **Statutory Adoption Pay**

Eligible employees are entitled to statutory adoption pay for up to 39 weeks during adoption leave.

To be eligible for statutory adoption pay an employee must meet all of the following criteria:

- Continuous employment with Telford and Wrekin Council for at least 26 weeks by the end of the week they are notified of being matched with a child (Matching Date).
- Have an average weekly earnings of not less than the lower earning limit for NI purposes, which applies at the end of the qualifying week.
- Provided a Matching Certificate as evidence of the Excepted Date of Placement.
- Given the correct notice.

### Statutory Adoption Pay Rate

Weeks 1-6	Weeks 7-18
90% of an average week's pay	Flat rate SAP <i>or</i> 90% of earnings (if less than SAP)

### 3.2.6 Terms and conditions of employment

During statutory adoption leave, terms and conditions of contract remain in place, subject to some exceptions including pay

#### Continuous Service

Continuous service continues to accrue during adoption leave.

#### Annual Leave

Contractual annual leave entitlement continues to accrue during adoption leave (ordinary and additional adoption leave).

Employees will also be credited with a substituted day/s of paid leave for any bank holiday/statutory holiday which falls during their adoption leave period.

#### Salary Sacrifice

Each salary sacrifice scheme has its own arrangements during adoption leave. Employees should refer to the individual scheme details to find out arrangements during periods of adoption leave.

#### Pension

Pension contributions continue to be payable on any contractual or statutory adoption pay which is paid. Pension contributions are also payable on any KIT days worked.

- ❖ Further information can be found in Guidance Note 4 – Maternity Leave and Pensions

### 3.2.7 Keeping in Touch (KIT) Days

During adoption leave it is important that managers and employees maintain reasonable contact.

Employees can agree to work or attend training for *up to 10 Keeping In Touch days* during adoption leave without bringing the period of adoption leave to an end.

KIT days can be taken individually, consecutively or a mixture of both. Working for part of a day will count as a whole day out of the 10 days entitlement. However, payment will be for the amount of time worked.

KIT days will be paid at the employee's normal contractual rate. If the KIT day falls within a period when the employee is receiving adoption pay, this will be a top-up payment to the level of the normal contractual rate.

❖ Further information can be found in Guidance Note 3– KIT / SPLIT Days.

### **3.2.8 Returning to Work**

Employees qualifying for statutory adoption pay will be advised in writing of the date on which they are expected to return to work if they take their full 52-week entitlement to adoption leave. Employees are expected to return on this date, unless they notify their Headteacher otherwise.

If the employee wishes to return to work earlier than the expected return date, they must give at least **8 weeks written notice** of the date of early return. If 8 weeks notice is not given, the line manager may postpone the return.

Employees wishing to curtail their Statutory Adoption Leave to take, or enable their partner to take Shared Parental Leave must give advance notice of their intention to do so.

If an employee is unwell at the end of their adoption leave due to sickness or injury, the Schools normal arrangements for absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If an employee decides not to return to work after adoption leave, he/she must give notice as soon as possible in accordance with the terms and conditions of the contract of employment. Employees in receipt of contractual adoption pay will be required to repay the full amount of contractual adoption pay received should they not return to work for a minimum of 3 months.

### **3.2.9 Rights on and after return to work**

On resuming work after ordinary adoption leave, an employee is entitled to return to the post that he/she occupied before commencing adoption leave on the same terms and conditions of employment.

On resuming work after additional adoption leave, an employee is entitled to return to the post occupied before commencing adoption leave on the same terms and conditions of employment had he/she not been absent. However, if it is not reasonably practicable he/she may be offered suitable alternative work on terms and conditions that are no less favourable.

### **3.2.10 Protection from discrimination**

Employees have the right not to be subjected to any type of unfavourable treatment for exercising their right to adoption leave.

## **3.3 Telford & Wrekin Council Adoption Scheme**

The Telford & Wrekin adoption scheme mirrors the Statutory Adoption Scheme set out above in section 3.2, with the exception of **eligibility** and **pay**.

## Eligibility

To be eligible for Telford & Wrekin's Adoption Scheme, the employee must have at least one year continuous service with either Telford & Wrekin Council or a Telford & Wrekin School by the expected date of placement.

## Contractual Adoption Pay - Teachers

Employees with at least 12 months service are entitled to receive contractual adoption pay. This can be paid either as a lump sum when the employee returns to work or can be paid monthly while on leave.

The amount of contractual adoption pay paid will be recovered if the employee does not return to work for a minimum of 3 months.

Weeks 1-4	Weeks 5-6	Weeks 7-18	Weeks 19-39	Weeks 40-52
Full pay which includes SAP if applicable	90 % of a weeks salary which includes SAP if applicable	Half pay plus SAP (deductions are made if the total exceeds full pay)	SAP	Nil Pay

## Contractual Adoption Pay – Non Teaching Employees

Employees with at least 12 months continuous service are entitled to receive contractual adoption pay, which is comparable with contractual maternity pay.

This can be paid either as a lump sum when the employee returns to work, or can be paid monthly while on leave.

The amount of contractual adoption pay paid will be recovered if the employee does not return to work for a minimum of 3 months.

Weeks 1-6	Weeks 7-18	Weeks 19-39
90% of an average week's pay	Half an average week's pay + flat rate SAP	Flat rate SAP <b>or</b> 90% of earnings (if less than SAP)

## **Section 4**

### **Shared Parental Leave**

Shared Parental Leave (SPL) enables eligible parents (both natural and adoptive) to choose how to share the care of their child during the first year of birth or adoption. Eligible parents are able to share a pot of leave and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child.

SPL enables the mother or adopter to reduce their maternity / adoption leave entitlement and opt into shared parental leave: enabling the mother or their partner to take any remaining weeks as shared parental leave and pay.

Although there are legal requirements and timeframes for providing formal notification to request shared parental leave, employees are encouraged, as much as possible, to discuss their leave plans / ideas at the earliest opportunity.

Early informal discussions enable:

- Both the Headteacher and employee to understand what type(s) of family leave the employee is potentially entitled to
  - An opportunity to clarify uncertainty around entitlements to shared parental leave / pay
  - Headteachers to start thinking about cover arrangements
  - The employee and Headteacher to plan how any outstanding annual leave can be taken.
- ❖ Further information can be found in Guidance Note 5 – Shared Parental Leave.

#### **4.1 Entitlement**

Eligible employees may be entitled to take up to 50 weeks SPL.

The amount of SPL to which an individual is entitled will depend on when the mother / adopter brings the maternity / adoption leave period to an end and the amount of leave that the other parent takes in respect of that child.

#### **4.2 Eligibility**

SPL can only be taken by two people:

- ⇒ The mother / adopter **and**
- ⇒ One of the following:
  - The father of the child or
  - The spouse, civil partner or partner of the child's mother/adopter

Both parents must share the main responsibility for the care of the child at the time of the birth / placement for adoption.

In addition, both parents must meet certain eligibility requirements.

- ❖ Further information can be found in Guidance Note 6 – Shared Parental Leave: Eligibility Criteria.

### 4.3 Commencing SPL

SPL can commence as follows:

- ⇒ The mother can start SPL after she has taken the legally required two weeks of compulsory maternity leave immediately following the child's birth
- ⇒ The adopter can start SPL after taking at least two weeks of adoption leave
- ⇒ The father/partner/spouse can start SPL immediately following the birth/placement of the child or after taking paternity leave.

**Note:** If the father/partner/spouse starts SPL immediately following the birth/placement, he/she loses the right to two weeks paternity leave.

SPL must end no later than one year after the birth/placement of the child.

### 4.4 Notice Requirements

The notices that parents must give to be able to take shared parental leave are made up of three elements.

- ❖ A “maternity / adoption curtailment notice” from the mother / adopter setting out when she / he proposes to end maternity / adoption leave (unless the mother / adopter has already returned to work from maternity / adoption leave).
- ❖ A “notice of entitlement and intention” from the employee giving an initial, non-binding indication of each period of SPL that he/she is requesting.
- ❖ A “booking notice” from the employee setting out the start and end dates of each period of SPL that he/she is requesting.

The notice periods set out below are a minimum and employees are encouraged to inform the Headteacher of their intentions as soon as possible.

Employees who have decided the pattern of SPL they wish to take can provide more than one type of notice at the same time. For example, the mother could provide a maternity leave curtailment notice, notice of entitlement and intention and a booking notice at the same time.

#### 4.4.1 Maternity / Adoption Curtailment Notice

Before a mother / adopter or partner can take SPL, the mother / adopter must either return to work before the end of maternity / adoption leave or provide a Maternity / Adoption Leave Curtailment Notice.

This Curtailment Notice must be in writing and state the date on which maternity / adoption leave is to end. That date must be:

- after the compulsory maternity / adoption leave period,
- at least eight weeks after the date on which the mother / adopter has given the Curtailment Notice to the Headteacher; and
- at least one week before what would be the end of the additional maternity / adoption leave period.

A Curtailment Notice may be withdrawn in writing only if the mother / adopter has not returned to work and:

- it is discovered that neither the mother nor the partner are entitled to SPL or statutory shared parental pay and the mother withdraws her maternity leave Curtailment Notice within eight weeks of the date in which the notice was given; or
- the maternity leave Curtailment Notice was given before the birth of the child and the mother withdraws it within six weeks of the child's birth; or
- the partner has died.

#### **4.4.2 Notice of Entitlement and Intention**

The employee (whether the mother, adopter or the partner) must provide the Headteacher with notice of their entitlement and intention to take SPL.

Notice must be provided on the appropriate form, at least *eight weeks before* the start date of the first period of SPL.

Notice should include a non-binding indication of when the employee expects to take SPL.

A copy of the child's birth certificate (if available) or in the case of an adopted child, documentary evidence of the date of matching and the expected placement date, must be provided with the Notice of Entitlement and Intention form, which should be submitted to the Headteacher.

#### **4.4.3 Booking Notice**

To book a period of SPL, the employee must provide written notice (*binding*) setting out the start and end dates of each period of SPL.

Employees must complete and submit a **Booking Notice Form** to their line manager at least eight weeks before the date on which they wish to start SPL.

Employees can submit a maximum of *three* notifications to book leave.



- ❖ Further information can be found in Guidance Note 7 – Shared Parental Leave: the Request process.

## 4.5 Periods of Shared Parental Leave

SPL can only be taken in complete weeks but may begin on any day of the week.

SPL can either be taken as one continuous period or as a number of discontinuous blocks.

### Continuous leave notifications

Employees who submit a Booking Notice requesting one continuous period of leave will automatically be entitled to take that period of leave (provided this does not exceed the total

number of weeks of SPL available to them and that they have provided at least eight weeks' notice). This will be confirmed in writing by the Headteacher.

Employees can submit up to three separate notifications for continuous periods of leave.

### Discontinuous leave notifications

Employees may submit a Booking Notice requesting two or more periods of discontinuous leave to their Headteacher.

With discontinuous leave, the employee requests a set number of weeks over a period of time with breaks in between where they return to work. This may enable the mother and partner to alternate childcare responsibilities.

Upon receipt of a Booking Notice for discontinuous leave, the Headteacher will consider the request and respond to the employee in writing within the 14 calendar days.

The Headteacher may:

- consent to the pattern of leave requested;
- propose an alternative pattern of leave; or
- refuse the pattern of leave requested.

If agreement is reached within 14 calendar days of receiving the Booking Notice, the employee is entitled to take the leave on the dates agreed.

If the leave pattern is refused, the employee can either withdraw it without detriment within 15 days or take the total number of weeks requested as one continuous block.

If the employee chooses to take the leave in a single continuous block, this must start at least eight weeks from the date on which the Booking Notice was originally given.

Employees must notify their Headteacher of the start date within 5 calendar days of receiving written confirmation of the Headteachers decision to refuse the request. If the employee fails to provide a start date, the period of continuous leave will start on the date of the first period of leave requested in the booking notice.

## 4.6 Variations to proposed / arranged SPL

Employees can vary or cancel any proposed or booked period of SPL by providing written notification.

### Variations to Notice of Entitlement and Intention

Employees can cancel or vary proposed period(s) of SPL by submitting a **shared parental leave notice of entitlement and intention – cancellation/variation form** to the Headteacher.

As the Notice of Entitlement and Intention is non binding, there is no limit to the amount of variations employees can submit.

### Variations to Booking Notices

Employees can cancel or vary booked periods of SPL by submitting a **Shared parental leave booking notice – cancellation/variation form** to their line manager.

This must be submitted at least **eight weeks** before the date of any variation.

Any new start date cannot be agreed sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification (including notice to return to work early) will usually count as one of the three notifications. However the following do not count towards this limit:

- A notice withdrawn within 15 days of providing it
- A notice to vary leave due to a child being born earlier or later than the Expected Week of Childbirth.
- A notice to vary provided following a request from the manager

Any variation will be confirmed in writing.

## 4.7 Shared Parental Leave In Touch (SPLIT) days

During SPL it is important that Headteachers and employees maintain reasonable contact.

Employees can agree to work or attend training for **up to 20 SPLIT days** during SPL without bringing the period of SPL to an end.

SPLIT days can be taken individually, consecutively or a mixture of both.

Working for part of a day will count as a whole day out of the 20 days' entitlement. However, payment will be for the amount of time worked.

SPLIT days will be paid at the employee's normal contractual rate. If the SPLIT day falls within a period when the employee is receiving Shared Parental Pay, this will be a top-up payment to the level of his/her normal contractual rate.

- ❖ Further information can be found in Guidance Note 3 – KIT / SPLIT Days.

## **4.8 Returning to work**

Employees will receive written notification of the end date of any period of SPL.

If they wish to return to work earlier than this date, they may provide a written notice to vary the leave and must provide at least eight weeks notice of their date of early return. This will count as one notification.

Employees have the right to return to the same job on the same terms and conditions as long as the period of SPL, when added to any other period of statutory maternity / paternity / adoption leave taken, is 26 weeks or less.

If the maternity / paternity / adoption leave and SPL amounts to 26 weeks or more, the employee is entitled to return to the same job unless this is not reasonably practicable, in which case he/she may be offered suitable alternative work on terms and conditions that are not less favourable.

If an employee is unable to return to work at the end of his/her SPL due to sickness or injury, the Schools normal arrangements for absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If an employee decides not to return to work after SPL, he/she must give notice as soon as possible and in accordance with the terms and conditions of their contract of employment.

- ❖ Further information can be found in Guidance Note 5 – Shared Parental Leave.

## **4.9 Shared Parental Pay (ShPP)**

Eligible employees may be entitled to up to 37 weeks ShPP whilst taking SPL.

Any ShPP due will be paid at the relevant statutory rate.

The amount of ShPP available will depend on the amount by which the mother / adopter reduces their maternity / adoption pay or maternity allowance period.

ShPP can be shared between parents whilst on SPL. It is up to the parents as to who is paid the ShPP and how it is apportioned between them.

For employees to be eligible to receive ShPP they must meet the eligibility requirements for SPL and they must also satisfy additional eligibility requirements which are included within the Guidance Note.

Further information is available in:

- ❖ Guidance Note 6 – Shared Parental Leave: Eligibility criteria.
- ❖ Guidance Note 8 – Shared Parental Leave Pay.

## 4.10 Terms and conditions of employment

During SPL, terms and conditions of contract remain in place, subject to some exceptions including pay.

Pension contributions continue to be payable on statutory ShPP which is paid. Pension contributions are also payable on any SPLIT days worked.

## Section 5 Unpaid Parental Leave Scheme

### 5.1 Introduction

Unpaid parental leave is available to eligible employees in addition to all other family leave described in this policy.

### 5.2 Entitlement

Parental leave is an entitlement to *up to 18 weeks of unpaid leave per child* for natural or adoptive parents of a child under the age of 18.

In the case of multiple births or the adoption of more than one child as part of the same placement, the employee has the right to take unpaid parental leave in respect of each child.

Entitlement to unpaid parental leave is limited to 18 weeks irrespective of changes of employer.

### 5.3 Eligibility

To qualify for unpaid parental leave the child must be under 18 and the employee must:

- have been continuously employed by a Telford & Wrekin School for one year by the time the unpaid parental leave is taken,
- be named on the birth or adoption certificate; and
- have or expect to have parental responsibility.

### 5.4 Period of Notice

Employees must give their Headteacher *twenty one days' notice* of the period of leave that he/she proposes to take.

Requests must be submitted on the **Unpaid Parental Leave Form**, confirming the start and end dates of the leave. A copy of the child's birth or adoption certificate must also be provided and a copy will be kept on the employee's personnel file.

## 5.5 Taking Unpaid Parental Leave

Parental leave must be taken in blocks of one week, except where the child is disabled in which case leave may be taken one day at a time.

The maximum amount of parental leave that may be taken in any one year in respect of a child is *four weeks*.

Leave may be taken as multiple or individual week blocks.

A week is equivalent to the length of time an employee normally works over seven days.

## 5.6 Postponing Unpaid Parental Leave

Where there is a "significant reason", the Headteacher may postpone unpaid parental leave for up to six months, except in cases where:

- It is being taken by the father/spouse/partner immediately after the birth or adoption of a child
- It means an employee would not longer qualify for unpaid parental leave e.g. postponing it until after the child's 18<sup>th</sup> birthday.

Where the Headteacher cannot agree to a request for leave to be taken at a specific time the manager will inform the employee, in writing, within seven days of receiving the request.

The response will include:

- an explanation as to why the request cannot be agreed; and
- a suggestion for an alternative start date (which will be within 6 months of the requested start date).

The Headteacher cannot change the amount of leave being requested.

## 5.7 Pay

Unpaid Parental Leave is *unpaid*.

Employees should not undertake paid work for another employer during periods of unpaid parental leave.

Employees who fall sick during a period of unpaid parental leave will be entitled to pay under the sickness scheme and this period shall not count towards their unpaid parental leave entitlement. A doctor's note must be submitted to cover the period of sickness absence and normal absence reporting procedures must be followed.

## 5.8 Terms and conditions of employment

During unpaid parental leave, terms and conditions of contract remain in place, subject to some exceptions including pay.

Terms that will continue include:

- ☑ Continuous service
- ☑ Annual leave entitlement accrual
- ☑ Entitlement to salary increments
- ☑ Right to notice of termination of employment
- ☑ Right to compensation in the event of redundancy (eligibility criteria applies)

Employees may opt to continue contributing to the pension scheme whilst on unpaid parental leave.

## 5.9 Returning to work

Employees have the right to return to the same job on terms and conditions that are no less favourable than those that would have applied had he/she not taken unpaid parental leave, so long as the parental leave was an isolated period of leave lasting four weeks or less.

Where an employee returns after more than four weeks parental leave, or after a period of parental leave which follows on immediately from another period of statutory leave in relation to the same child which, when added together, totals more than 26 weeks, he/she is entitled to return to the same job or, if that is not reasonably practicable, to another appropriate and suitable job on terms and conditions that are not less favourable than those that would have applied had the employee not taken unpaid parental leave.

## 5.10 Untaken Unpaid Parental Leave

Unpaid Parental leave not taken before the child's eighteenth birthday will be lost.

## 5.11 Additional Points

- ❖ Unpaid parental leave does not apply to casual workers or foster carers/parents. However, there may be other options for leave available in the special leave policy or flexible working policy.
- ❖ Employees who fall sick before or during a period of unpaid parental leave may have the leave credited if they are able to provide a signed Fit Note confirming the dates of sickness. Any sick pay will be paid in line with the Schools absence policy.

Name of employee:		Employee Number:	
Date of Commencement of employment:		Job Title:	
Head Teacher		School	
Home Address			
Home Telephone No		Work Telephone Number	

**I wish to inform you that I intend to take adoption leave as follows:**

My last day of work will be on:	
I will start my adoption leave on:	
The expected date of placement is:	

The School will assume that you will take your full entitlement of take 52 weeks adoption leave and you are expected to return to work the day after your adoption leave ends. Should you wish to return to work earlier than your expected return date, you must give at least 8 weeks written notice of your early return date.

If you are unwell at the end of your adoption leave due to sickness or injury, the School's normal arrangements for absence apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If you decide not to return to work after adoption leave, you must give notice as soon as possible and in accordance with the terms and conditions of your contract of employment.

**I have submitted my request in line with notification requirements of the circumstances of the adoption and I have provided the requested supporting documentation (please tick as appropriate):**

**UK Adoptions**

I have submitted this form within 7 days of being matched with a child; and

I have provided a copy of the matching certificate

**Overseas Adoptions**

Within 28 days of receiving “official notification” I have informed my line manager of the date Official notification was received and the estimated date the child arrives in the UK.

Provided at least 28 days notice of my chosen start date of adoption leave

I have provided a copy of the “official notification”

**Surrogacy Arrangements**

I have submitted this form at least 15 weeks before the expected week of childbirth

I have provided a copy of the “statutory declaration” to confirm I have applied for/will apply for a Parental Order in the 6 months after the child’s birth.

**Human Resources**

**Adoption Leave**

**Pay Options**

I believe that I am entitled to (tick as appropriate):

Statutory Adoption Pay

Contractual Adoption Pay\*

*\*If you have ticked this option, please complete the Contractual Adoption Pay options section below.*

**Contractual Adoption Pay Options** (tick as appropriate):

*Eligibility – 12 months continuous service by the expected date of placement.*

I intend to return to work following adoption leave and to avoid repayment I authorise the School to withhold the 12 weeks half pay until I return to work.



I intend to return to work following adoption leave and request payment of the 12 weeks half pay at the usual pay intervals. I understand that I will be required to repay all contractual adoption pay in the event of being unable to comply with the condition of returning to work.	
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**LOCAL GOVERNMENT PENSION SCHEME (members only)**

As a member of the Local Government Pension Scheme you will pay contributions as normal whilst you are receiving pay. On your return to work we will write to you to advise you of any lost pensionable pay due to unpaid adoption leave and provide details of your options.

**TEACHER PENSION SCHEME (members only)**

You will need to contact the TPA directly to pay contributions whilst on unpaid adoption leave.

<b>Signed</b>	<b>Date</b>
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Please return your completed form to your Headteacher together with the appropriate documentation.

Headteachers should forward the completed form & documentation to HRhelpdesk@telford.gov.uk or T&W Council, Human Resources, Addenbrooke House,

**Human Resources**

**Shared Parental Leave**

**Booking Notice Cancellation / Variation Form**

<b>Name of employee:</b>	<b>School:</b>
<b>Job title:</b>	<b>Headteacher:</b>
I previously provided the School with notice of my proposed shared parental leave in a Booking Notice dated [date]. I now wish to amend my shared parental leave request.	
I had already notified the School in my booking notice or a variation of booking notice (if applicable) that I would be taking the following periods of shared parental leave:	

<p><b>I now intend to take shared parental leave on the following dates instead (please include the start and end dates for each period of leave that you now intend to take):</b></p>	
<p><b>I have already notified the School of the following periods of statutory shared parental pay (if applicable):</b></p>	

**Declaration to be completed:** The information that I have provided is accurate.

**Signed:**

**Date:**

**Notes**

This notice is to amend a period of shared parental leave that you intend to take and that you provided in a booking notice. You must have already submitted a period of leave notice before using this form.

The School recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your shared parental leave before submitting this form, as opportunities to amend your requests for shared parental leave are limited. Apart from exceptional circumstances, you can submit a booking notice or a notice that you have changed your mind about shared parental leave dates on a combined total of just three occasions.

You and your partner must take any shared parental leave within 52 weeks of the birth of your child.

The following forms are needed by a mother and the person she will share Shared Parental Leave (SPL) with (partner) to confirm eligibility and entitlement with the School. The forms will also be used to confirm eligibility and entitlement to Shared Parental Pay (ShPP).

What forms need to be completed?			
	Both parents want to take SPL	Just the mother wants to take SPL	Just the partner wants to take SPL
Form 1	YES	YES	YES
Form 2	YES	YES	NO
Form 3	NO	NO	YES
Form 4	YES	NO	YES

#### Key abbreviations used in these forms

SPL Shared Parental Leave  
 ShPP Statutory Shared Parental Pay  
 SMP Statutory Maternity Pay  
 MA Maternity Allowance

To help parents complete the forms, useful information and a tool to calculate rights to Maternity, Paternity and Shared Parental Leave and Pay at:

Please return your completed form to your line manager together with appropriate documentation.

Headteachers should send the completed form and documentation to:

[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
 Ironmasters Way, Telford, Shropshire, TF3 4NT

#### 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 SPL and/or ShPP or that my partner intends to take SPL and/or ShPP.

I understand that:

end on the date given in Section B and that my SMP will end on  
 the date given in Section C.

### Notification of Maternity Leave & Pay (Mother)

- I can only reinstate my maternity leave if I revoke this notice before the curtailment date given in Section B.
- If I am eligible for myself or my partner to opt into SPL and ShPP I can only reinstate my SMP if I revoke this notice before the end date given in Section C.

Mother's surname	
Mother's first name(s)	
Child's expected date of birth	
Actual date of child's birth (if born)	
<b>SECTION B: Curtailing maternity leave (must be completed)</b>	
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	
<b>SECTION C: Curtailing maternity pay (only complete if claiming ShPP)</b>	
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	
<b>SECTION D: Signature (must be completed)</b>	
Signature of mother	
Date signed	

<b>SECTION A: General (must be completed)</b>	
Please accept this as notification that I (the mother) am entitled to and intend to take SPL (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	
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 Shared Parental Leave)	
<b>SECTION B: Maternity entitlement details (all answers that apply must be completed)</b>	
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 / MA	
Date mother's SMP / MA ended (or will end)	
Total number of weeks SMP / MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP / MA will be reduced (i.e. 39 weeks minus total number of weeks SMP / MA has been paid or will have been paid at date of curtailment)	
<b>SECTION C: Amount of Shared Parental Leave available (must be completed)</b>	
Total number of weeks of SPL created (52 weeks less total number of maternity weeks taken and any SPL from a previous notice and revocation)	
Total number of weeks of SPL I (the mother) intend to take	
Total number of weeks of SPL my partner intends to take	
<b>SECTION D: Indication of Mother's leave intentions (must be completed but is not binding)</b>	
I (the mother) currently expect to take SPL as follows: <i>*Please provide dates in a "From... To..." format</i>	
<b>SECTION E: Amount of Shared Parental Pay available (only complete if claiming Shared Parental Pay)</b>	
Total number of weeks of ShPP created (39 weeks less total number of Maternity Pay 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:

*\*Please provide dates 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 SPL
- I have, or will have, been continuously employed for 26 weeks at the end of the 15<sup>th</sup> week before the week in which the child is due
- I will remain employed with this employer until any period of SPL 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 SPL
- 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 SPL notice
- The information provided in this declaration is accurate and meets the notification requirements for SPL

**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 15<sup>th</sup> 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 SPL in those weeks (if entitled to SPL).
- 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 / MA.
- The information provided in this declaration is accurate.

<b>Notice to confirm partner is taking SPL but mother is not</b>	

Date mother signed	
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**SECTION G: Partner's declaration (must be completed)**

- I am the father of the child, 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 SPL 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	
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Date partner signed	
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Please return your completed form to your line manager together with appropriate documentation. Headteachers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House, Ironmasters Way, Telford, Shropshire, TF3 4NT

**SECTION A: General (must be completed)**

Please accept this as notification that I (the mother) do not intend to take SPL (or ShPP where relevant) but that my partner will be.

Mother's surname	
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Mother's first name(s)	
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**SECTION B: Confirmation**

- I am either not entitled to SPL (or ShPP where relevant), or I do not intend to take SPL (or claim ShPP where relevant)
- I declare that my partner has given a notice to their employer to take SPL and/or ShPP.
- I consent to my partner's intended claim for SPL and/or ShPP.

## Notice of Entitlement &amp; Intention (Partner)

SECTION C: Signature (must be completed)	
Signature of mother	
Date signed:	

Please return your completed form to your line manager together with appropriate documentation. Line Managers should send the completed form and documentation to: [HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House, Ironmasters Way, Telford, Shropshire, TF3 4NT

Please accept this as notification that I (the mother's partner) am entitled to and intend to take SPL (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 SPL)	
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 SPL available (must be completed)**

The total number of weeks of SPL 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 SPL that was taken by the partner must be deducted

Total number of weeks of SPL created (50 max)	
Total number of weeks of SPL I (the partner) intend to take	
Total number of weeks of SPL 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 SPL as follows:

*\*Please provide dates 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)	
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:

*\*Please provide dates 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 SPL
- I am the father of the child, 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 15<sup>th</sup> week before the week in which the child is due
- I will remain employed with this employer until any period of SPL 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 SPL notice
- The information provided in this declaration is accurate and meets the notification requirements for SPL

**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 15<sup>th</sup> 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 SPL in those weeks (if entitled to SPL)
- 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 SPL 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 SPL

### 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 father processing the information I have provided
- The information provided in this declaration is correct

Signature of mother	
Date mother signed	

Please return your completed form to your line manager together with appropriate documentation.  
Line Managers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
Ironmasters Way, Telford, Shropshire, TF3 4NT

Name of employee:		Employee Number:	
Date of Commencement of employment:		Job Title:	
Head Teacher:		School:	
Home Address:			
Home Telephone No:		Work Telephone Number:	

***Remember!***

Eligible employees are entitled to up to 18 weeks unpaid parental leave in respect of each child under the age of 18 years old. Entitlement to unpaid parental leave applies to each child not to an individual's job. Therefore it is limited to 18 weeks irrespective of change to employer. If you have taken parental leave with a previous employer, this leave will be counted towards your 18 week

The amount of unpaid parental leave I have already taken in respect of the relevant child:	weeks
The expected date of childbirth is / or if the child has already been born, the actual date of birth was:	

**I wish to inform you that I intend to take unpaid parental leave as follows:**

<p>I would like to take the following number of weeks unpaid parental leave:</p> <p>NOTE: <b>Leave must be taken in blocks or multiples of one week</b>, except where the child is disabled (in which case leave can be taken as single days).</p> <p><b>A maximum of four weeks</b> unpaid parental leave can be taken in respect of each child per year.</p>	<p>Weeks / days</p>
<p>I would like my period of unpaid parental leave to commence on:</p>	
<p>I would like my period of unpaid parental leave to end on:</p>	
<p><b>I enclose a copy of the child's birth / matching certificate (if this has not previously been provided).</b></p>	

<p><b>Signed</b></p>	<p><b>Date</b></p>
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Please return your completed form to your Headteacher together with appropriate documentation.

Headteachers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
 Ironmasters Way, Telford, Shropshire, TF3 4NT



### What are KIT / SPLIT days?

Keeping in touch (KIT) and Shared Parental Leave in Touch (SPLIT) days are days where an employee can agree to work (or attend training) without bringing their maternity leave / adoption leave / shared parental leave to an end.

KIT / SPLIT days may be used for the following types of activities (this is not an exhaustive list):

- Team away days
- Team meetings
- Training sessions / PD Days
- Business planning days
- Recruitment interviews
- Important briefings i.e. proposed restructuring
- Introductory meetings with new team members
- Help a gradual return back to work

KIT / SPLIT days are intended for a day of work, not for social visits. As is the case when employees attend work, children should not accompany employees at work during a KIT / SPLIT day.

### Taking KIT / SPLIT Days

KIT / SPLIT days can be taken as individual or consecutive days or a mixture of both.

**KIT Days:** employees may work up to 10 KIT days whilst on maternity / adoption leave.

#### **Remember**

Headteachers have no right to require employees to work KIT / SPLIT days.  
Employees have no right to undertake KIT / SPLIT days  
Any KIT / SPLIT days worked must be by **mutual agreement** between the Headteacher and the employee.

leave.

**Working for part of a day will count as a whole day out of the entitlement.**

#### **Payment**

Employees who work KIT / SPLIT days will receive payment at their normal contractual rate.



Where an employee works a KIT / SPLIT day during the period where they are receiving statutory maternity / adoption / shared parental leave pay, they will receive a “top up” payment to equate to the level of their normal contractual rate.

Employees must submit an additional hours claim form to their line manager to receive payment for the KIT / SPLIT days worked.

***Remember***

Working part of a day will count as a whole day of the KIT / SPLIT day entitlement.  
However, payment will only be made for the actual amount of time worked.

***Payments for KIT / SPLIT days worked are pensionable.***

### Mother / Primary Adopter Eligibility

For the Mother / Primary Adopter to be eligible for shared parental leave and pay, **certain criteria** must be met.

#### *Mother / Primary Adopter must:*

- have at least 26 weeks continuous service with a School within Telford & Wrekin Council ending the 15<sup>th</sup> week before the EWC / by the end of the week the child is matched (matching date), and remains in continuous employment with a School within the Borough until the week before any period of shared parental leave that is taken,
- have at the date of the child's birth / placement, the main responsibility, apart from the partner, for the care of the child,
- be entitled to statutory maternity / adoption leave in respect of the child,
- have complied with the relevant maternity / adoption leave curtailment requirements (or has returned to work before the end of maternity / adoption leave); and
- have complied with the shared parental leave notice and evidence requirements.



#### *Partner must:*

- have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the EWC / by the end of the week the child is matched (matching date).
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks; and
- have, at the date of the child's birth / placement, the main responsibility, apart from the mother, for the care of the child.

Parents can find some useful information and a tool to calculate rights to Maternity, Paternity and Shared Parental Leave and Pay at: [www.gov.uk/pay-leave-for-parents](http://www.gov.uk/pay-leave-for-parents).

#### *Partner must:*

- have at least 26 weeks continuous service with a School within the Borough ending with the 15<sup>th</sup> week before the EWC / by the end of the week the child is matched (matching date) and remains in continuous employment with a School within the Borough until the week before any period of shared parental leave that is taken,
  - have at the date of the child's birth/ placement, the main responsibility, apart from the mother, for the care of the child; and
  - comply with the relevant shared parental leave notice and evidence requirements.
-



*Mother / Primary Adopter must:*

- have been employed or been self employed earner during at least 26 of the 66 weeks immediately preceding the EWC / by the end of the week the child is matched (matching date),
  - have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks,
  - have at the date of the child's birth / placement, the main responsibility, apart from the partner, for the care of the child,
  - be entitled to statutory maternity / adoption leave, statutory maternity / adoption pay or maternity allowance in respect of the child; and
  - comply with the relevant maternity/ adoption leave or pay curtailment requirements (or have returned to work before the end of maternity/adoption leave)
-

**Letter Template – Invite to informal meeting to discuss Shared Parental Leave request**

This example letter should be used as a guide when inviting an employee to an informal meeting to discuss their Shared Parental Leave request following receipt of a Booking Notice.

**PRIVATE & CONFIDENTIAL**

Dear

**Re: Informal meeting to discuss Shared Parental Leave request**

Thank you for your notice to book a period of Shared Parental Leave that was given on **date**. We would like to arrange a convenient time to discuss your notification with you.

I therefore suggest a meeting at **location** on **date** at **time**.

Please could you confirm whether you are able to attend the meeting suggested above or, if not, to suggest an alternative time and date.

If you have any questions about any aspect of your shared parental leave and/or pay entitlement, please do not hesitate to speak to either myself or Human Resources on 01952 383601.

Yours sincerely

**Headteacher**

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**Human Resources****Maternity Leave  
Application Form**

Name of employee		Employee Number	
Date of Commencement of employment:		Job Title:	
Head Teacher		School	
Home Address			
Home Telephone No		Work Telephone Number	

**I wish to inform you that I am pregnant and I intend to take maternity leave as follows:**

My last day of work will be on:

I will start my maternity leave on:

My expected date of childbirth is:

**I enclose a copy of my MATB1/medical certificate issued by my doctor/midwife/recognised medical practitioner confirming when my baby is due.**

To qualify for maternity leave, you must return this form to your line manager by no later than the end of the 15<sup>th</sup> week prior to your expected week of childbirth.

Your maternity leave cannot begin prior to the 11<sup>th</sup> week before your expected week of childbirth.

The School will assume that you will take your full entitlement of take 52 weeks maternity leave and you are expected to return to work the day after your maternity leave ends. Should you wish to return to work earlier than your expected return date, you must give at least 8 weeks written notice of your early return date.

If you are unwell at the end of your maternity leave due to sickness or injury, the School's normal arrangements for absence apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If you decide not to return to work after maternity leave, you must give notice as soon as possible and in accordance with the terms and conditions of your contract of employment.

---

I believe that I am entitled to (tick as appropriate):

Statutory Maternity Pay

Contractual Maternity Pay\*

*\*If you have ticked this option, please complete the Contractual Maternity Pay options section below.*

**Contractual Maternity Pay Options** (tick as appropriate):

*Eligibility – 12 months continuous service at 11<sup>th</sup> week before the expected date of childbirth*

I intend to return to work following maternity leave and to avoid repayment I authorise the School to withhold the 12 weeks half pay until I return to work.

I intend to return to work following maternity leave and request payment of the 12 weeks half pay at the usual pay intervals. I understand that I will be required to repay all contractual maternity pay in the event of being unable to comply with the condition of returning to work.

**LOCAL GOVERNMENT PENSION SCHEME (members only)**

As a member of the Local Government Pension Scheme you will pay contributions as normal whilst you are receiving pay. On your return to work we will write to you to advise you of any lost pensionable pay due to unpaid maternity leave and provide details of your options.

**TEACHER PENSION SCHEME (members only)**

You will need to contact the TPA directly to pay contributions whilst on unpaid maternity leave.

**Signed**

**Date**

Please return your completed form to your line manager together with a copy of your MATB1. Headteachers should send the completed form and MATB1 to: [HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Cou

Name of employee:	School:
Job title:	Head Teacher:
I wish to take the following period(s) of shared parental leave. Please complete <b>either</b> section A or B.	
<b>Section A: please fill out if your child has already been born or if you know the exact dates on which you would like to take shared parental leave.</b>	
My current remaining entitlement to SPL (please specify in number of weeks):	Weeks
This is my: <input type="checkbox"/> First <input type="checkbox"/> Second <input type="checkbox"/> Third statutory booking notification to book SPL (please tick)	
I intend to take shared parental leave on the following dates:  (please include the start and end dates for each period of leave that you intend to take)	
Number of weeks of SPL this booking notice is to book	Weeks
<b>Section B: please fill out if your child has not been born yet and you wish your shared parental leave to start either on the day on which your child is born, or a specified number of days after the day on which your child is born.</b>	
My current remaining entitlement to SPL (please specify in number of weeks):	Weeks
This is my: <input type="checkbox"/> First <input type="checkbox"/> Second <input type="checkbox"/> Third statutory booking notification to book SPL (please tick)	
I wish my shared parental leave to start on:	<input type="checkbox"/> the day on which my child is born <input type="checkbox"/> the following number of days after the date on which my child is born
I wish my shared parental leave to end the following number of days after the date on which my child is born	Days

Number of weeks of SPL this booking notice is to book	Weeks
---	-------

**Declaration to be completed:**

**The information that I have provided is accurate.**

**Signed:**

**Date:**

**Notes**

You can request to take shared parental leave in one continuous block (in which case the organisation is required to accept the request as long as you meet the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case you need the organisation's agreement). **A maximum of three requests** for leave per pregnancy can be made by each parent.

The start date of the first period of shared parental leave that you wish to take must be at least **eight weeks** after you have provided this booking notice. Shared parental leave must be taken in blocks of at least one week.

This booking notice is to confirm to the School the shared parental leave that you intend to take. You must have already submitted a notice of entitlement and intention before using this form.

The School recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your shared parental leave before submitting this form, as opportunities to amend requests for shared parental leave are limited. You can submit a booking notice or a notice that you have changed your mind about shared parental leave dates on a combined total of just **three** occasions.

You and your partner must take any shared parental leave within 52 weeks of the birth of your child.

<b>Human Resources</b>	<b>Shared Parental Leave</b> <b>Notice of Entitlement and Intention: Cancellation / Variation Form</b>
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<b>Name of employee:</b>	<b>School:</b>
<b>Job title:</b>	<b>Headteacher:</b>





I previously provided the School with an initial indication, in my notice of entitlement and intention dated [date], of my proposed shared parental leave dates. I now wish to amend my proposed shared parental leave dates. My partner and I agree to this change.

**I now intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you now intend to take):**

**I have already notified the School in any period of leave notice or a variation of period of leave notice (if applicable) that I will be taking the following periods of shared parental leave:**

**My partner has already notified his/her employer in any period of leave notice or a variation of period of leave notice (if applicable) that he/she will be taking the following periods of shared parental leave:**

**I have already notified the School of the following periods of statutory shared parental pay (if applicable):**

**My partner has already notified his/her employer of the following periods of statutory shared parental pay (if applicable):**



**Declaration to be completed:**

**The information that I have provided is accurate.**

**Signed (Mother):**

**Date:**

**Signed (Partner):**

**Date:**

**Notes**

This variation of notice of entitlement and intention is not binding. You must still provide a booking notice in relation to the period of leave that you are seeking to change. There is no limit on the number of variations of notice of entitlement and intention that you can make, although you can give a maximum of three booking notices.

Please return your completed form to your line manager together with appropriate documentation.

Headteachers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
Ironmasters Way, Telford, Shropshire, TF3 4NT

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Name of employee		Employee Number	
Date of Commencement of employment:		Job Title:	
Head Teacher		School	
Home Address			
Home Telephone No		Work Telephone Number	

**I wish to inform you that I am pregnant and I intend to take maternity leave as follows:**

My last day of work will be on:

I will start my maternity leave on:

My expected date of childbirth is:

**I enclose a copy of my MATB1/medical certificate issued by my doctor/midwife/recognised medical practitioner confirming when my baby is due.**

To qualify for maternity leave, you must return this form to your line manager by no later than the end of the 15<sup>th</sup> week prior to your expected week of childbirth.

Your maternity leave cannot begin prior to the 11<sup>th</sup> week before your expected week of childbirth.

The School will assume that you will take your full entitlement of take 52 weeks maternity leave and you are expected to return to work the day after your maternity leave ends. Should you wish to return to work earlier than your expected return date, you must give at least 8 weeks written notice of your early return date.

If you are unwell at the end of your maternity leave due to sickness or injury, the School's normal arrangements for absence apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If you decide not to return to work after maternity leave, you must give notice as soon as possible and in accordance with the terms and conditions of your contract of employment.

I believe that I am entitled to (tick as appropriate):

Statutory Maternity Pay

Contractual Maternity Pay\*

*\*If you have ticked this option, please complete the Contractual Maternity Pay options section below.*

**Contractual Maternity Pay Options** (tick as appropriate):

*Eligibility – 12 months continuous service at 11<sup>th</sup> week before the expected date of childbirth*

I intend to return to work following maternity leave and to avoid repayment I authorise the School to withhold the 12 weeks half pay until I return to work.	<input type="checkbox"/>
--	--------------------------

I intend to return to work following maternity leave and request payment of the 12 weeks half pay at the usual pay intervals. I understand that I will be required to repay all contractual maternity pay in the event of being unable to comply with the condition of returning to work.	<input type="checkbox"/>
---	--------------------------

**LOCAL GOVERNMENT PENSION SCHEME (members only)**

As a member of the Local Government Pension Scheme you will pay contributions as normal whilst you are receiving pay. On your return to work we will write to you to advise you of any lost pensionable pay due to unpaid maternity leave and provide details of your options.

**TEACHER PENSION SCHEME (members only)**

You will need to contact the TPA directly to pay contributions whilst on unpaid maternity leave.

<b>Signed</b>	<b>Date</b>

Please return your completed form to your line manager together with a copy of your MATB1. Headteachers should send the completed form and MATB1 to: [HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resourc

Name of employee:	School:
Job title:	Head Teacher:
I wish to take the following period(s) of shared parental leave. Please complete <b>either</b> section A or B.	
<b>Section A: please fill out if your child has already been born or if you know the exact dates on which you would like to take shared parental leave.</b>	
My current remaining entitlement to SPL (please specify in number of weeks):	Weeks
This is my: <input type="checkbox"/> First <input type="checkbox"/> Second <input type="checkbox"/> Third statutory booking notification to book SPL (please tick)	
I intend to take shared parental leave on the following dates:  (please include the start and end dates for each period of leave that you intend to take)	
Number of weeks of SPL this booking notice is to book	Weeks
<b>Section B: please fill out if your child has not been born yet and you wish your shared parental leave to start either on the day on which your child is born, or a specified number of days after the day on which your child is born.</b>	
My current remaining entitlement to SPL (please specify in number of weeks):	Weeks
This is my: <input type="checkbox"/> First <input type="checkbox"/> Second <input type="checkbox"/> Third statutory booking notification to book SPL (please tick)	
I wish my shared parental leave to start on:	<input type="checkbox"/> the day on which my child is born <input type="checkbox"/> the following number of days after the date on which my child is born
I wish my shared parental leave to end the following number of days after the date on which my child is born	Days

Number of weeks of SPL this booking notice is to book	Weeks
---	-------

**Declaration to be completed:**

**The information that I have provided is accurate.**

**Signed:**

**Date:**

**Notes**

You can request to take shared parental leave in one continuous block (in which case the organisation is required to accept the request as long as you meet the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case you need the organisation's agreement). **A maximum of three requests** for leave per pregnancy can be made by each parent.

The start date of the first period of shared parental leave that you wish to take must be at least **eight weeks** after you have provided this booking notice. Shared parental leave must be taken in blocks of at least one week.

This booking notice is to confirm to the School the shared parental leave that you intend to take. You must have already submitted a notice of entitlement and intention before using this form.

The School recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your shared parental leave before submitting this form, as opportunities to amend requests for shared parental leave are limited. You can submit a booking notice or a notice that you have changed your mind about shared parental leave dates on a combined total of just **three** occasions.

You and your partner must take any shared parental leave within 52 weeks of the birth of your child.

**Human Resources**

**Shared Parental Leave**

**Notice of Entitlement and Intention: Cancellation / Variation Form**

<b>Name of employee:</b>	<b>School:</b>
<b>Job title:</b>	<b>Headteacher:</b>



I previously provided the School with an initial indication, in my notice of entitlement and intention dated [date], of my proposed shared parental leave dates. I now wish to amend my proposed shared parental leave dates. My partner and I agree to this change.

**I now intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you now intend to take):**

**I have already notified the School in any period of leave notice or a variation of period of leave notice (if applicable) that I will be taking the following periods of shared parental leave:**

**My partner has already notified his/her employer in any period of leave notice or a variation of period of leave notice (if applicable) that he/she will be taking the following periods of shared parental leave:**

**I have already notified the School of the following periods of statutory shared parental pay (if applicable):**

**My partner has already notified his/her employer of the following periods of statutory shared parental pay (if applicable):**



**Declaration to be completed:**

**The information that I have provided is accurate.**

**Signed (Mother):**

**Date:**

**Signed (Partner):**

**Date:**

**Notes**

This variation of notice of entitlement and intention is not binding. You must still provide a booking notice in relation to the period of leave that you are seeking to change. There is no limit on the number of variations of notice of entitlement and intention that you can make, although you can give a maximum of three booking notices.

Please return your completed form to your line manager together with appropriate documentation.

Headteachers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
Ironmasters Way, Telford, Shropshire, TF3 4NT

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### Notification of pregnancy

Pregnant women are encouraged to inform their Headteacher that they are pregnant as soon as possible in order to allow the Headteacher to assess and eliminate any risks while at work.

**By the end of the Qualifying Week** (15 weeks before the Expected Week of Childbirth), pregnant women must have informed their Headteacher in writing of:

- the fact she is pregnant,
- her Expected Week of Childbirth; and
- the date she expects to start her maternity leave

Pregnant employees must provide this information by completing a Maternity Leave Application Form and submit it to their Headteacher. A copy of their MATB1 Certificate must also be provided.

A MATB1 is a form issued by Healthcare professional (usually a Midwife) which provides verification of pregnancy and confirms the expected week of childbirth.

Headteachers should forward a copy of the Maternity Leave Application Form and MATB1 Certificate to HR, who will provide written confirmation of maternity leave plans within 28 days of the date the form is received. The expected date of return to work (if the full 52 weeks entitlement is taken) will be specified.

### Risk Assessment

As soon as an employee tells their Headteacher they are pregnant, a risk assessment must be carried out. It is the Headteacher's duty to arrange and carry out and regularly review the risk assessment.

#### **Remember!**

#### **Remember!**

- A generic checklist of all hazards is not considered an appropriate risk assessment for a pregnant employee

- Failure to carry out a risk assessment may constitute sex discrimination against a pregnant mother

### **Purpose of the risk assessment**

- To assess if the work is of a kind that could pose a risk to the health of the pregnant woman or her baby
- To identify any particular risks or hazards associated with the pregnancy or that individual employee

Risks and hazards will depend on the workplace and the kind of work carried out but may include risks of heavy lifting or carrying, excessive time spent standing up or the risk of violence or dealing with unruly customers / service users.

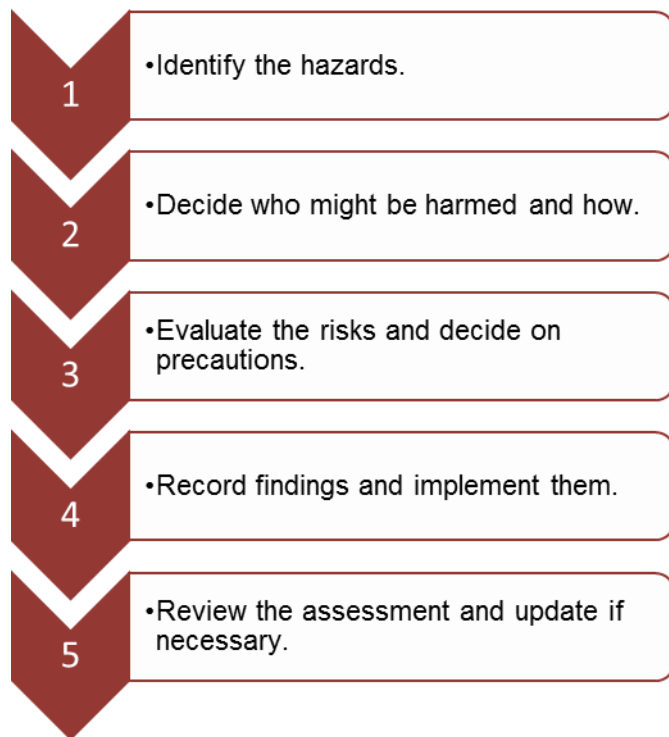
Where the risk assessment reveals the pregnant employee could be exposed to hazards when carrying out her normal job duties, Headteachers should take necessary steps to eliminate those risks by altering the employees working conditions.

If it's not possible to alter the employee's working conditions to eliminate the identified risks, suitable alternative work should be offered.

In exceptional circumstances where it is not possible to alter a pregnant employee's working conditions to remove the risks to her health and there is no suitable alternative work available to offer her on a temporary basis, the Governors/Headteacher may

suspend her from work on maternity grounds until such time as there are no longer any risks to her health. This may be for the remainder of her pregnancy until commencement of her maternity leave. Please speak to your HR Advisor if you are considering this.

### **Five-step risk assessment process**



*There is further guidance available from Health & Safety for New & Expectant Mothers.*

#### **Protection against discrimination**

Pregnant employees are entitled not to be subject to any type of unfavourable treatment related to their pregnancy or their impending maternity leave.

Headteachers should ensure that pregnant employees do not experience:

- Exclusion from training and development, 121's or other normal activities
- Demotion or removal of responsibility\*
- Detrimental changes to job duties\*
- Abuse or derogatory remarks

*\*unless related to health & safety issues*

#### **Sickness Absence**

Pregnant employees absent from work due to sickness will receive contractual sick pay in accordance with the sick pay scheme.

Absence for pregnancy related illness should be managed in line with current Sickness Absence guidance. Please speak to your HR Advisor.

Employees who are absent from work for pregnancy related illness after the beginning of the 4<sup>th</sup> week before her Expected Week of Childbirth will automatically trigger the start of their maternity leave.

#### **Time off for antenatal care**

All pregnant employees are entitled to paid time off to attend antenatal appointments as advised by her Doctor, registered Midwife or health visitor. Antenatal care may include:

- Relaxation classes
- Parent craft classes
- Medical examinations
- Scans
- Midwife antenatal appointments / checks

Employees should provide their Headteacher with as such notice as possible of these appointments and, where possible, arrange them at the start or end of the working day.

Headteachers may request to see the antenatal appointment card after the first appointment.

#### **Time off to accompany a pregnant woman to ante-natal appointments**

Prospective fathers/partners of pregnant women are now entitled to time off to attend two antenatal appointments. The right is available to:

- The husband/spouse, civil partner or partner of the pregnant woman
- The father or parent of the pregnant woman's expected child
- An intended parent in a surrogacy situation who meets specific conditions

and can be exercised on **up to 2 occasions** for a maximum of **6 and a half hours** each time

#### **Pregnancy Time Line**

Pregnant Employee Responsibilities	Timescale	Headteacher Responsibilities
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Tell your Headteacher you are pregnant.</li> <li><input checked="" type="checkbox"/> Find out about rights and responsibilities.</li> <li><input checked="" type="checkbox"/> Start to think about when you may want to start maternity leave.</li> <li><input checked="" type="checkbox"/> Start to think when you may use any accrued annual leave before start of maternity leave.</li> </ul>	<p><b>As soon as pregnancy is known</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Carry out a pregnancy risk assessment.</li> <li><input checked="" type="checkbox"/> Allow pregnant employee to have paid time off to attend ante natal appointments.</li> <li><input checked="" type="checkbox"/> Ensure pregnant employee is not treated unfairly.</li> </ul>
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Tell your Headteacher: <ul style="list-style-type: none"> <li>❖ <i>you are pregnant</i></li> <li>❖ <i>your Expected Week of Childbirth</i></li> <li>❖ <i>when you want your maternity leave to start</i></li> </ul> </li> <li><input checked="" type="checkbox"/> Complete the Maternity Leave Application Form and return to your Headteacher along with a copy of your MATB1 Certificate.</li> </ul> <div style="border: 1px solid black; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p style="text-align: center;"><b>Remember!</b> You can change your maternity leave start date as long as you give 28 days notice.</p> </div> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Start discussions with your Headteacher about contact during maternity leave (including KIT days).</li> </ul>	<p><b>As soon as pregnancy is known</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Ensure pregnant employee has provided the correct written notification: <ul style="list-style-type: none"> <li>❖ <i>Maternity Leave Application Form</i></li> <li>❖ <i>Copy of MATB1 Certificate</i></li> </ul> </li> <li><input checked="" type="checkbox"/> Send Maternity Leave Application Form and copy of MATB1 Certificate to HR.</li> </ul> <div style="border: 1px solid black; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p style="text-align: center;"><b>Remember!</b> HR will confirm maternity leave plans with the Pregnant Employee within 28 days of receipt of the Maternity Leave Application form.</p> </div> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Discuss contact during maternity leave with pregnant employee (possibly agree KIT days).</li> <li><input checked="" type="checkbox"/> Think about how you will cover workload whilst employee is on maternity leave.</li> </ul>
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Agree how you would like to be contacted and kept informed of changes during maternity leave.</li> <li><input checked="" type="checkbox"/> Ensure you have taken all unused annual leave before starting maternity leave.</li> <li><input checked="" type="checkbox"/> Discuss / agree KIT days.</li> <li><input checked="" type="checkbox"/> Discuss handover of work.</li> <li><input checked="" type="checkbox"/> If possible, discuss when you may wish to return to work</li> </ul> <p style="text-align: center;"><b>Remember!</b></p> <p><b>You are not obliged to indicate your return to work date at this point.</b></p>	<p><b>Before pregnant employee starts maternity leave</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Ensure pregnant employee has planned how to take all unused annual leave before commencement of maternity leave.</li> <li><input checked="" type="checkbox"/> Agree contact during maternity leave, including how to keep employee informed of changes.</li> <li><input checked="" type="checkbox"/> Discuss / agree KIT days.</li> <li><input checked="" type="checkbox"/> Discuss hand over of work (either relocation of work across existing team or maternity cover employee).</li> </ul>

Please return your completed form to your Headteachers together with appropriate documentation.

Headteachers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
Ironmasters Way, Telford, Shropshire, TF3 4NT

## Pension

Pension contributions continue to be payable on any contractual or statutory maternity pay which is paid.

### 1. Local Government Pension Scheme



**SHROPSHIRE COUNTY**  
PENSION FUND

Pensionable service continues during the 39-week paid maternity leave period. After this date, pensionable service ceases.

On return to work, pensionable service will resume and will be considered continuous for preservation purposes. The period of unpaid maternity leave will not count towards pensionable service and employees will be treated as if the first day of the unpaid maternity leave and the day of return to work are continuous.

On return to work, employees will have a period of up to 30 days to exercise their right (in writing) to pay contributions to cover the period of the unpaid maternity leave.

Employees who decide they wish to do this will pay 1/3 of the cost and the Council will pay the remainder. If this right is not taken up within 30 days, employees will be able to buy additional pension but will pay the full cost with no contribution from the Council.

Further information and advice is available from the Payroll Department or Shropshire County Pension Fund.

2.

### 3. 2. Teachers' Pension Scheme



Employees should discuss the impact of the maternity absence upon pension with the pension scheme representative or visit the Teachers Pensions website.

Pension benefits will continue to accrue whilst in receipt of contractual or statutory maternity pay. Deductions from the actual salary received will be made at the normal contribution rate.

This is the same for adoption or parental leave.

Further information can be found on the Teacher's pensions website:

<https://www.teacherspensions.co.uk/members/working-life/life-events/family-leave.aspx>

***Remember***

During restructures, employees on maternity/adoption/parental leave must be consulted in the same way as if they were not on maternity leave.

## Early Discussions

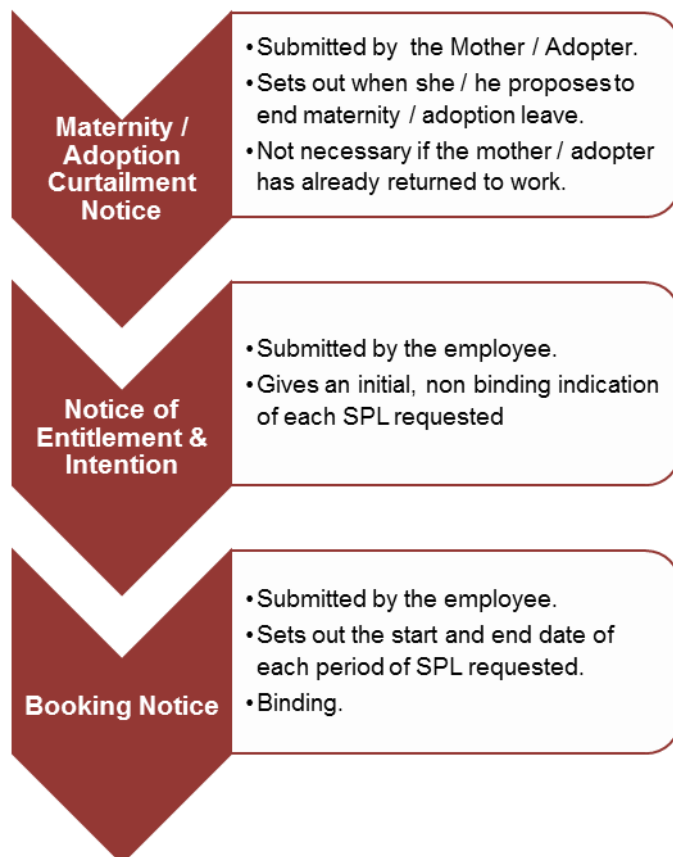
Although there are legal requirements and timeframes for providing formal notification to request shared parental leave, employees are encouraged, as much as possible, to discuss their leave plans / ideas at the earliest opportunity.

Early informal discussions enable:

- ☑ Both the Headteacher and employee to understand what type(s) of family leave the employee is potentially entitled to
- ☑ An opportunity to clarify uncertainty around entitlements to shared parental leave / pay
- ☑ Headteachers to start thinking about cover arrangements
- ☑ The employee and Headteacher to plan how any outstanding annual leave can be taken.

## Notification

The notices that parents must give to their Headteacher to be able to take shared parental leave are made up of three elements:



Employees may provide more than one notification at the same time if they have decided on the pattern of shared parental leave they wish to take.

**Example:** a mother could provide a maternity curtailment notice, notice of entitlement and booking notice at the same time.

**Example:** a partner could provide his/her notice of entitlement and intention and booking notice at the same time.

Employees considering requesting shared parental leave are always encouraged to discuss their plans with their Headteacher as soon as possible. However, there are specific minimum notification periods that must be provided which are outlined below.

### **Maternity/Adoption Curtailment Notice**

Before shared parental leave can be taken, the mother / adopter must either:

- Return to work before the end of their maternity / adoption leave (by giving the required 8 weeks written notice of her planned return): or
- Provide a maternity / adoption leave curtailment notice to their Headteacher\* and state the date on which their maternity / leave adoption leave will end.

\*Employees should complete a **Maternity / Adoption Leave Curtailment Notice Form**.

#### ***Remember!***

The maternity/adoption leave end date must be:

- ✓ After the compulsory maternity leave period or after the first 2 weeks of adoption leave
- ✓ At least 8 weeks after the date the mother / adopter gave the maternity / adoption leave curtailment notice to their Headteacher
- ✓ At least 1 week before what would have been the end of the additional maternity / adoption leave period.

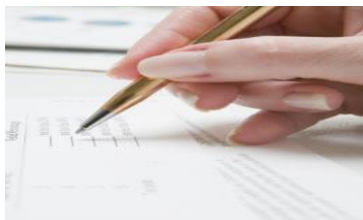
### **Change of mind**

Any such withdrawal must be in writing and must be given **before** the mother / adopter has returned to work.

A mother / adopter can withdraw their maternity/adoption curtailment notice in **limited circumstances:**

- If it is discovered that neither the mother/adopter nor the father/spouse/partner are entitled to shared parental leave or shared parental pay and the maternity/adoption leave curtailment notice is withdrawn within 8 weeks of the date on which the notice was given.
- The maternity/adoption leave curtailment notice was given before the birth/placement of the child and the mother/adopter withdraws their maternity/adoption leave curtailment notice within 6 weeks of the child's birth/placement.
- The father/spouse/partner has died.





## Notice of Entitlement and Intention

Employees must provide their Headteacher with a notice of entitlement and intention. This notice is **non binding** and employees should provide it in writing using the **Notice of Entitlement and Intention Form**.

The following documents should also be provided with the notice of entitlement and intention form:

- A copy of the child's birth / matching certificate (*if the child has not been born or placed, the birth / matching certificate should be provided with 14 days of the birth / placement*).
- A copy of the maternity leave curtailment notice

Employees should give their notice of entitlement and intention form to their Headteacher at least **8 weeks** before the start date of the first period of shared parental leave they wish to take.

### Discussing early intentions

It may be helpful for Headteachers to have an **informal discussion** with the employee once they have submitted their notice of entitlement and intention. Such a discussion will allow the Headteachers to:

- Understand the type and pattern of leave the employee may be interested in taking.
- Consider and plan how best to accommodate such leave in redlines for forthcoming booking notices.
- Discuss any plans for what discontinuous leave patterns could be accommodated.

### **Change of mind?**

Employees can cancel or vary their proposed shared parental leave dates after they have submitted a notice of entitlement and intention.

To cancel / vary, written notification must be provided and employees must submit a shared parental leave notice of entitlement – cancellation/variation form to their Headteacher.

As the notice of entitlement and intention is non binding there is no limit to the amount variation notifications employees can submit.

## Booking Notice

To formally book a period of shared parental leave, employees must provide written notification (booking notice) setting out the start and end dates of each period of leave.

The booking notice is **binding** and employees must submit a **Booking Notice Form** to their Headteacher.

Employees must submit the booking notice at least **8 weeks** before the start date of the first period of requested shared parental leave.

Booking notices can be given at the same time as a Notice of Entitlement and Intention.

**REMEMBER!**

*There is a limit to the amount of booking notices employees can submit.*

*Employees can submit a combined total of **up to 3 booking notices** per pregnancy / adoption.*

Employees may request a **continuous** period of leave or **discontinuous** periods of leave. The process for approving requests will depend on the type of leave that has been requested.

### Period of Leave

Employees may make a request for either a single continuous period or discontinuous periods of shared parental leave.

#### Continuous period of leave

One continuous period of shared parental leave.

Employees are entitled to take a period of continuous period of leave which cannot be refused/amended by the Headteacher (providing the **correct notification** has been provided).

**Note:** Headteachers may find it useful to meet with the employee to discuss the request in order to avoid any misunderstandings and/or to plan for the leave (including how the employee will take any untaken annual leave for example).

**Remember**

*A continuous leave notification **MUST** be accepted.*

#### Discontinuous periods of leave

One request for a number of separate (discontinuous) periods of shared parental leave.

**Example:** a mother and partner may request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

Headteachers must consider a request for discontinuous periods of leave, however employees are not automatically entitled to discontinuous periods of shared parental leave.

**Remember**

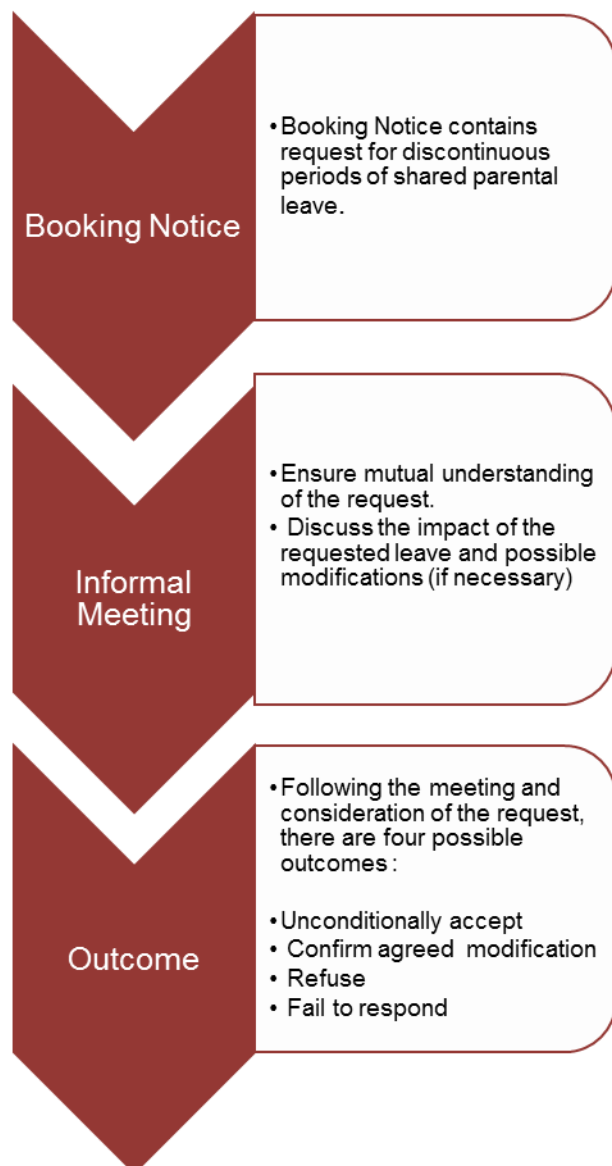
There is no limit to the amount of periods of discontinuous leave an employee can make in one request. **HOWEVER.....**

There is a limit to the amount of booking notices an employee can submit. *Employees can submit a combined total of **up to 3 booking notices** per pregnancy / adoption.*

*Considering requests for discontinuous periods of leave*

Headteachers have **14 calendar days** to discuss the request with the employee and consider how and whether the request for discontinuous leave, or a modified version of it, can be agreed as follows:

Headteachers should have an informal meeting with the employee to discuss the request.



### The Informal Meeting

The informal meeting is a good opportunity for the Headteacher and employee to clarify the request to ensure mutual understanding.

Some of the things that may be discussed at the meeting may include:

- How leave could be accommodated, taking account of the workload.
- Possible modifications to reduce the impact of the requested leave.
- Clarify whether the employee would be agreeable to modifications
- Other considerations to help achieve a mutually beneficial agreement.
- The likely outcome if the request is not agreed.

Headteachers should record agreed outcomes from the meeting and share this with the employee.

### The Outcome

Once the Headteacher has received, considered and discussed a notice to book discontinuous periods of shared parental leave, depending on the circumstances, there are four possible outcomes:

#### *1. Unconditionally accept a leave notification*

Where a discontinuous leave notification is submitted and is completely acceptable, the Headteacher should confirm their agreement to the employee, in writing, within 14 calendar days of the date the booking notice was received. The written confirmation should confirm the relevant leave dates to be taken.

#### *2. Agree modification to a leave notification*

If the Headteacher and employee agree to different discontinuous leave arrangements to the one originally requested, both parties should confirm their agreement.

The modified arrangement could include, for example, different dates / duration to the pattern originally requested or could move to a continuous period of leave.

The Headteacher should confirm the agreed (modified) leave dates, in writing, within 14 calendar days of the date the booking notice was received.

#### *3. Refuse a leave notification*

Headteachers who are not immediately agreeable to a notification for discontinuous leave should **always** arrange a meeting to discuss the request with the employee.

If, following the meeting where alternatives / modifications have been explored, the notification remains unacceptable to the Headteacher, the Headteachers should confirm, in writing, within 14 calendar days of the date the booking notice was received:

- Proposed alternative dates (wherever the option is viable) for the employee to consider; and
- A confirmation of refusal; and
- Clear information on what options are now available to the employee i.e. withdraw, move to the default position or agree a modified arrangement.

Remember: if no agreement is reached, the Headteacher and employee need to be mindful of the default position.

#### *4. Fail to respond to a leave notification*

This outcome is not good practice and should be avoided. Headteachers should be aware that if they do not respond to a booking notice request for discontinuous shared parental leave within the timescales provided, the request will be considered as having been refused and the default position will apply.

### **Remember**

*A continuous leave notification **MUST** be accepted. If no response is made to such as notification, the employee has the right to take the leave outlined in their booking notice.*

## The Default Positions

Headteachers and employees should be aware of the default positions with regards to requests for periods of discontinuous leave periods.

## The Default Positions

Headteachers and employees should be aware of the default positions with regards to requests for periods of discontinuous leave periods.

### Within 14 calendar days of the original booking notice

**No default position will apply:** If agreement is reached regarding when the employee will take their leave.

**The default position will apply if:**

- No agreement is reached
- The Headteacher refuses the discontinuous leave
- The Headteacher provides no response

### Within 15 calendar days of the original booking notice

If no agreement is reached the employee can either:

- Withdraw their booking notice for discontinuous leave and it will not count towards 1 of their 3 booking notices.
- Not withdraw their request, in which case the booking notice for discontinuous leave will automatically default to a period of continuous leave.

### ***Change of mind?***

Employees can cancel or vary their proposed shared parental leave dates after they have submitted a booking notice, provided they provide their Headteacher with a least 8 weeks\* notice.

*\*8 weeks before the shared parental leave period varied / cancelled was due to commence.*

To cancel / vary, written notification must be provided and employees must submit a shared parental leave booking notice – cancellation / variation form and request to:

- Cancel a request for leave
- Vary the start or end date of any period of shared parental leave
- Change a continuous period of leave to a discontinuous period of leave
- Change a discontinuous period of leave to a continuous period of leave.

**REMEMBER:** The booking notice is **binding** and therefore employees should be aware of the limits to the amount of booking notices they can submit and the default provisions.

## **Letter Template – Refusal of a discontinuous Shared Parental Leave Booking**

This example letter should be used as a guide when refusing a discontinuous Shared Parental Leave booking following receipt of a Booking Notice.

**Remember:** Headteachers should have an informal meeting with the employee to discuss requests for discontinuous periods of shared parental leave before making a decision.

### **PRIVATE & CONFIDENTIAL**

Dear

**Re: Refusal of a discontinuous Shared Parental Leave Booking** Thank you for your notice booking Shared Parental Leave that was given on **date**.

Following our meeting **date** to discuss your request and having given the proposal thorough consideration, I regret that the School is unable to agree to the pattern of discontinuous leave that you requested.

Unless your notice is withdrawn the total amount of leave requested in your notice, amounting to **X** weeks, will automatically become a continuous block. Unless the organisation is informed otherwise this will begin on the date you originally requested your leave period to start **date**.

If you would like the period to begin on a different date please confirm this to myself on or before **date (19 calendar days from when the original booking notice was submitted)**. Please remember that the start date cannot be sooner than eight weeks from the date your original notice was given.

Alternatively you may withdraw your notification on or before date **(15 calendar days from when the original booking notice was submitted)**. This would then not count as one of your notifications.

If you have any questions about any aspect of your shared parental leave and/or pay entitlement, please do not hesitate to speak to either myself or Human Resources on 01952 383601.

Yours sincerely

**Headteacher**

<b>Human Resources</b>	<b>Paternity / Maternity Support Leave Application Form</b>
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Name of employee:		Employee Number:	
-------------------	--	------------------	--

Date of Commencement of employment:		Job Title:	
Head Teacher		School	
Home Address			
Home Telephone No		Work Telephone Number	

**Remember!**

*Paternity / Maternity Support Leave cannot start before the actual date of birth / placement and it can only be taken during the 56 days after the actual date of birth / placement (or if the child is born early, up to 56 days after the expected date of childbirth).*

**I wish to inform you that I intend to take paternity / maternity support leave as follows:**

I would like to start my paternity / maternity support leave on:

The expected date of childbirth is / or if the child has already been born, the actual date of birth was:

I would like to be away from work for (*please circle*):

One week

Two weeks

**I enclose a copy of the child's birth / matching certificate (or understand that I must provide a copy as soon as reasonably practicable where the child has not yet been born / placed).**

**Human Resources**

**Paternity / Maternity Support Leave**

**Application Form**

**Statutory Paternity Leave**

I understand that to qualify for Statutory Paternity Leave, I must meet all of the following criteria:



Be the biological father, married to the mother or partner of the mother	
Have, or expect to have, responsibility for the child's upbringing	
Taking the time off to support the mother and/or care for the new child	
Been continuously employed by the Council for 26 weeks ending with the 15 <sup>th</sup> week before the expected week of confinement	
Continue to be employed by the Council from the qualifying week (15 <sup>th</sup> weeks before the expected week of confinement) up until the birth of the baby	
Submit your Paternity/ Maternity Support Application Form to my line managers by the end of the 15 <sup>th</sup> week before the Expected Week of Confinement.	

**REMEMBER: 28 days notice is required if you wish to change your request.**

**Maternity Support Leave** (*Teachers are not eligible for this type of leave*)

I understand that to qualify for Maternity Support Leave, I must meet all of the following criteria:

Be employed under NJC Conditions of Service	
Be the biological father, married to, partner of or a nominated career of the expectant mother	

**REMEMBER: Employees who wish to request Maternity Support Leave are required to provide reasonable notice to their line manager.**

<b>Signed</b>	<b>Date</b>
---------------	-------------

Please return your completed form to your Headteacher together with appropriate documentation.

Headteachers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) to T&W Council, Human Resources, Addenbrooke House,  
 Ironmasters Wav. Telford. Shropshire. TF3 4NT

The following forms are needed by an adopter who has taken adoption leave and/or pay and the person they will share Shared Parental Leave (SPL) with (partner) to confirm eligibility and entitlement with the School. The forms will also be used to confirm eligibility and entitlement to Shared Parental Pay (ShPP).

<b>What forms need to be completed?</b>			
	<b>Both parents want to take SPL</b>	<b>Just the adopter wants to take SPL</b>	<b>Just the partner wants to take SPL</b>
Form 1	<b>YES</b>	<b>YES</b>	<b>YES</b>
Form 2	<b>YES</b>	<b>YES</b>	<b>NO</b>
Form 3	<b>NO</b>	<b>NO</b>	<b>YES</b>
Form 4	<b>YES</b>	<b>NO</b>	<b>YES</b>

**Key abbreviations used in these forms**

SPL Shared Parental Leave  
 ShPP Statutory Shared Parental Pay  
 SAP Statutory Adoption Pay

To help parents complete the forms, useful information and a tool to calculate rights to Maternity, Paternity and Shared Parental Leave and Pay at:

[www.gov.uk/pay-leave-for-parents](http://www.gov.uk/pay-leave-for-parents).

**SECTION A: General (must be completed)**

Please accept this as my notice to curtail my adoption leave and/or SAP.

Human Resources

by notification that either I intend to take SPL and/or ShPP or  
**Shared Parental Leave: Form 1**

Human Resources

**Shared Parental Leave: Form 2  
Notice of Entitlement & Intention  
(Adopter)**  
end on the date given in Section B and that my  
Section C, unless my notice is revoked or there is

Adopter's surname		
Adopter's first name(s)		
Child's expected date of placement		
Actual date of child's placement (if known)		
<b>SECTION B: Curtailing adoption leave (must be completed)</b>		
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		
<b>SECTION C: Curtailing adoption pay (only complete if claiming ShPP)</b>		
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		
<b>SECTION D: Signature (must be completed)</b>		
Signature of adopter		
Date signed		

Please return your completed form to your Headteacher together with appropriate documentation. Headteachers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House, Ironmasters Way, Telford, Shropshire, TF3 4NT

**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 SPL (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 SPL)	
<b>SECTION B: Adoption Entitlement Details (all answers that apply must be completed)</b>	
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)	
<b>SECTION C: Amount of Shared Parental Leave available (must be completed)</b>	
Total number of weeks of SPL created (52 weeks less total number of weeks of adoption leave taken)	
Total number of weeks of SPL I (the adopter) intend to take	
Total number of weeks of SPL partner intends to take	
<b>SECTION D: Indication of Adopter's leave intentions (must be completed but is not binding)</b>	
<p>I (the adopter) currently expect to take SPL as follows:  <i>*Please provide dates in a "From... To..." format</i></p>	

**SECTION E: Amount of Shared Parental Pay available (only complete if claiming Shared Parental Pay)**

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:  
*\*Please provide dates in a "From... To..." format*

**SECTION F: Adopter'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 SPL
- 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 SPL 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 SPL
- I am entitled to adoption leave in respect of the child, my adoption leave period is reduced and will be available as SPL
- 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 SPL 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 SPL 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 SPL in those weeks

Human Resources

Shared Parental Leave Form 3

with this employer until before the date of my first period of ShPP the person who pays ShPP if I revoke curtailment of my SAP

Notice to confirm partner is taking SPL but adopter is not

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 SPL 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

Please return your completed form to your Headteacher together with appropriate documentation. Headteacher should send the completed form and documentation to: [HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House, Ironmasters Way, Telford, Shropshire, TF3 4NT

**SECTION A: General (must be completed)**

Please accept this as notification that I (the adopter) do not intend to take SPL (or ShPP where relevant) but that my partner will be.

Adopter's surname

Adopter's first name(s)

**SECTION B: Confirmation**

## Notice of Entitlement &amp; Intention (Partner)

- I am either not entitled to SPL (or ShPP where relevant), or I do not intend to take SPL (or claim ShPP where relevant)
- I declare that my partner has given a notice to their employer to take SPL and/or ShPP.
- I consent to my partner's intended claim for SPL and/or ShPP.

**SECTION C: Signature (must be completed)**

Signature of adopter	
Date signed	

Please return your completed form to your line manager together with appropriate documentation. Line Managers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
 Ironmasters Way, Telford, Shropshire, TF3 4NT

Please accept this as notification that I (the adopter's partner) am entitled to and intend to take SPL (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 SPL)	
<b>SECTION B: Adoption entitlement details (all answers that apply must be completed)</b>	
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 SPL available (must be completed)**

The total number of weeks of SPL 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 SPL created (50 max)	
---	--

Total number of weeks of SPL I (the partner) intend to take	
---	--

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

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

*\*Please provide dates 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)	
---	--

Total number of weeks of ShPP I (the partner) intend to take:	
---	--

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

## 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 SPL
- 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 SPL 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 SPL 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 SPL 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 SPL 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 SPL

### 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 father 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	

Please return your completed form to your line manager together with appropriate documentation.  
Line Managers should send the completed form and documentation to:  
[HRhelpdesk@telford.gov.uk](mailto:HRhelpdesk@telford.gov.uk) or T&W Council, Human Resources, Addenbrooke House,  
Ironmasters Way, Telford, Shropshire, TF3 4NT



### Amount of Maternity Leave

All employees, regardless of hours worked or length of service are entitled to take up to **52 weeks maternity leave** comprising of:

- 26 weeks ordinary maternity leave
- 26 weeks additional maternity leave

Employees who take maternity leave have a right to return to work at any time during either ordinary maternity leave or additional maternity leave, except during the compulsory maternity leave period.

### Compulsory Maternity Leave

The **compulsory maternity leave period** is the two weeks (or four weeks for some types of work) following the date of childbirth.

### Commencement of Maternity Leave

Pregnant employees must follow the correct notification procedures to notify their Headteacher of when they would like to start maternity leave.

Maternity leave can start on any day of the week.

Pregnant employees can choose to start maternity leave at any time after the beginning of the 11<sup>th</sup> week before the Expected Week of Childbirth.

Maternity Leave will start on whichever date is the earlier of the:

- pregnant employees chosen date,
- day after the pregnant employee gives birth; or
- day after the pregnant employee is absent from work for a pregnancy related reason in the 4<sup>th</sup> week before the Expected Week of Childbirth.

*Employees may find it useful to use a Planner to work out dates for their Maternity Leave*

During maternity leave it is important that Headteachers and employees maintain reasonable contact.

Before an employee starts maternity leave, Headteachers should discuss and agree with the employee, arrangements for maintaining contact whilst they are on leave.

Headteachers and the employee on maternity leave may agree reasonable contact from time to time to discuss:

- Updates and developments within the team and the organisation.
- The employee's plans for returning to work.
- Arrangements to ease the employee's return to work.

### ***Remember!***

An employee can agree to work or attend training for up to 10 Keeping in Touch days during their Maternity leave without bringing her period of maternity leave to an end.

- ☑
- ☑ Further information on Keeping in Touch days (KIT days) can be found in Guidance Note 4 – KIT/SPLIT Days)
- ☑

### **Returning to Work**

Human resources will provide written confirmation of the date the employee is expected to return to work should she take the full 52 week maternity leave entitlement.

Employees are expected to return to work on this date unless they notify their Headteacher otherwise.

Where an employee wishes to return to work earlier than her expected return to work date, she must give at least **8 weeks written notice** of her date of early return. If 8 weeks notice is not provided, the Headteacher may postpone the return.

### ***Note***

Employees are under no obligation to indicate their intended return to work date earlier than the timescales indicated above, However, employees are encouraged to discuss their plans for their return as early as possible. This is to assist managers to plan for service / workload cover.

Employees who are unwell at the end of their maternity leave due to sickness or injury should follow the School's normal Sickness Absence procedure.

Employees who decide they not to wish to return to work after maternity leave are encouraged to inform their Headteacher as soon as possible. In all circumstances, employees must give notice in accordance with the terms and conditions of her contract of employment.

### **Rights on returning to work**

An employee's rights when she returns to work after maternity leave differ slightly depending on when she decides to return.

**Return to work after ordinary maternity leave:** an employee is entitled to return to the post that she occupied before commencing maternity leave on the same terms and conditions of employment.

**Return to work after additional maternity leave:** an employee is entitled to return to the post that she occupied before commencing maternity leave. However, if this is not reasonably practicable she may be offered suitable alternative work on terms and conditions that are no less favourable.

### Returning to work on flexible working arrangements

All employees have the right to request flexible working arrangements, including women returning to work following maternity leave.

Please refer to the Flexible working Policy for details of flexible working options available and notification requirements.

### **Terms and Conditions of Employment**

During maternity leave, terms and conditions of contract remain in place, subject to some exceptions including pay.

### Continuous Service

Continuous service continues to accrue during maternity leave.

### Annual Leave

Contractual annual leave entitlement continues to accrue during maternity leave (ordinary and additional maternity leave).

Employees will also be credited with a substituted day/s of paid leave for any bank holiday/concessionary holiday which falls during their maternity leave period.

#### ***Remember!***

Pregnant employees and Headteachers should discuss and plan how and when annual leave will be taken.

It is sometimes difficult for employees going on maternity leave to “fit in” their annual leave entitlement during their leave year. Therefore headteachers and pregnant employees may agree to tag on any unused leave to the beginning or end of the maternity leave period.

### Salary Sacrifice

Each salary sacrifice scheme has its own arrangements during maternity leave. Employees should refer to the individual scheme details to find out arrangements during periods of maternity leave.

**Shared Parental Leave – what is it?**

Shared parental leave enables eligible parents (both natural parents and adoptive parents) to choose how to share the care of their child during the first year of birth or adoption.

Shared Parental Leave enables mothers or adopters to:

- Commit to ending their maternity / adoption leave and pay at a future date and share the untaken balance of leave and pay as shared parental leave with their partner; or
- Commit to returning to work early from maternity / adoption leave and opt in to shared parental leave and pay at a later date.

**Entitlement**

Eligible employees may be entitled to take **up to 50 weeks** shared parental leave.

***Compulsory maternity leave***

Remember the first 2 weeks following birth are classed as compulsory maternity leave.

This means the mother cannot curtail her maternity leave to take shared parental leave until 2 weeks after the birth.

This is the reason why the maximum period of shared parental leave parents can take is 50 weeks between them.

The exact amount of shared parental leave available will depend on:

- when the mother / adopter brings their maternity / adoption leave period to an end; and
- the amount of shared parental leave that the other parent takes in respect of the child.

**REMEMBER:** shared parental leave must be taken in blocks of at least one week. Employees may request one continuous block or a number of discontinuous blocks of leave.

**Eligibility**

Shared Parental Leave can only be taken by two people as follows:

- the mother / adopter; and
- either the father of the child, the spouse civil partner or partner of the child's mother / adopter.

In addition, both parents must:

- share the main responsibility for the care of the child at the time of the birth / placement for adoption; and
- meet specific eligibility criteria\*



\*further information regarding eligibility criteria can be found in Guidance Note 6 – Shared Parental Leave Eligibility Criteria.

## Commencement

Shared Parental Leave must end no later than one year after the birth / placement of the child. Any shared parental leave entitlement not taken by then will be lost.

For SPL to start, the mother / adopter must either have returned to work (which ends any maternity/adoption leave) or given “binding notice” (i.e. maternity curtailment notice) of the date they plan to end their maternity / adoption leave.

*The father/spouse/partner can start SPL while the mother / adopter is still on maternity / adoption leave as long as they have given binding notice to end it.*

The earliest shared parental leave can commence is as follows:

Mother	Adopter	Father/Spouse/Partner
2 week after birth of the child ( <i>2 week compulsory maternity leave period</i> )	After taking 2 weeks of adoption leave.	Immediately following birth / placement of the child or after taking paternity leave.

**Remember:** fathers/spouses/partners that start shared parental leave immediately following birth/placement lose their right to paternity leave.

## Period of Leave

Employees may request either a continuous period or discontinuous periods of shared parental leave.

**Continuous period of leave:** one continuous period of shared parental leave.

Employees are entitled to take a period of continuous period of leave which cannot be refused/amended by the Headteacher (providing the correct notification has been provided).

**Discontinuous periods of leave:** one request for a number of separate (discontinuous) periods of shared parental leave.

**Example:** a mother and partner may request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

**Remember**

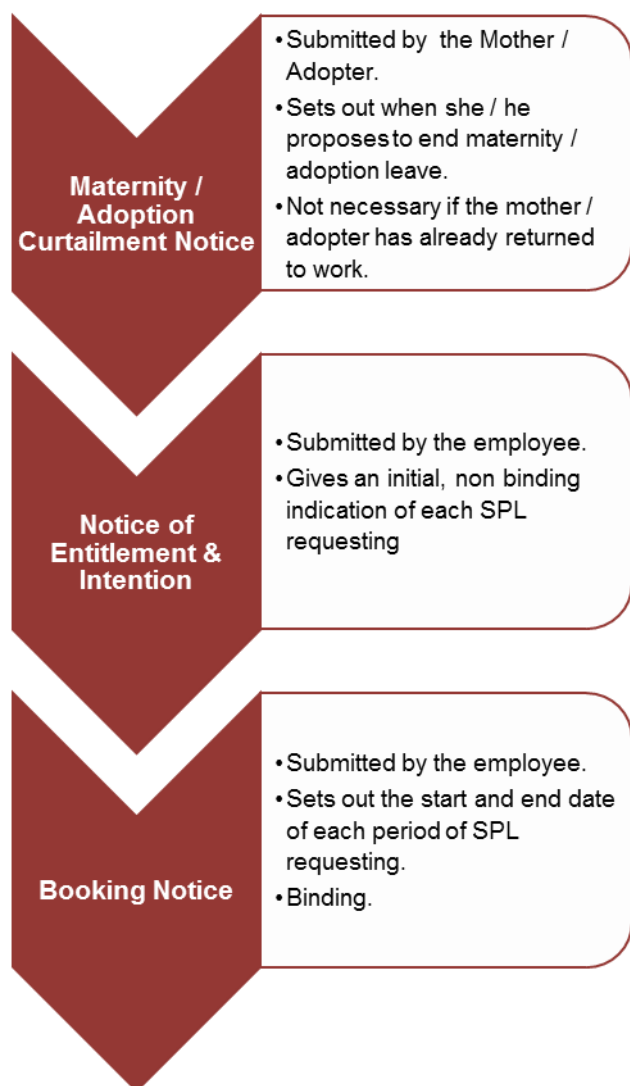
There is no limit to the amount of periods of discontinuous leave an employee can make in one request. **HOWEVER** there is a limit to the amount of booking notices an employee can submit. *Employees can submit a combined total of **up to 3 booking notices** per pregnancy / adoption.*

Headteachers must consider a request for discontinuous periods of leave, however employees are not automatically entitled to discontinuous periods of shared parental leave.

Further information can be found in Guidance Note 6 – Shared Parental Leave: the request process.

**Notification**

The notices that parents must give to their Headteacher to be able to take shared parental leave are made up of three elements:



Notification must be provided within specific minimum timescales. However, employees considering requesting shared parental leave are always encouraged to discuss their plans with their Headteacher as soon as possible.

**Remember:** Employees may provide more than one notification at the same time if they have decided on the pattern of shared parental leave they wish to take.

Further information regarding the notification process can be found in Guidance Note 6 – Shared Parental Leave: the request process.

*Employees may find it useful to use a Planner (found on gov.uk) to work out dates for their Shared Parental Leave*

## Keeping in Touch

During shared parental leave it is important that Headteachers and employees maintain reasonable contact.

Before an employee starts shared parental leave, Headteachers should discuss and agree with the employee, arrangements for maintaining contact whilst they are on leave.

Headteachers and the employee on shared parental leave may agree reasonable contact from time to time to discuss:

- Updates and developments within the team and the organisation.
- The employee's plans for returning to work.
- Arrangements to ease the employee's return to work.

### **Remember!**

Employees can agree to work or attend training for up to 20 Shared Parental Leave in Touch days (SPLIT) during shared parental leave. Further information on Keeping in Touch days (KIT days) can be found in [Guidance Note 3 – KIT/SPLIT Days](#)

## Returning to work

Employees are expected to return to work the day after the end date specified on their booking notification.

Employees who are unwell at the end of their shared parental leave due to sickness or injury should follow the School's normal Sickness Absence procedure.

Employees who decide they not to wish to return to work after shared parental leave are encouraged to inform their Headteacher as soon as possible. In all circumstances, employees must give notice in accordance with the terms and conditions of her contract of employment.

### **Rights on returning to work**

Employees rights on return to work after a period of shared parental leave differ slightly depending on how much leave has been taken.

**Return to work after a combined leave period (comprising of maternity / paternity / adoption / SPL) of 26 weeks or less:** an employee is entitled to return to the post that they occupied before commencing shared parental leave on the same terms and conditions of employment.

**Return to work after a combined leave period (comprising of maternity / paternity / adoption / SPL) of more than 26 weeks:** an employee is entitled to return to the post that they occupied before commencing maternity leave. However, if this is not reasonably practicable they may be offered suitable alternative work on terms and conditions that are no less favourable.

### **Terms and Conditions of Employment**

During shared parental leave, terms and conditions of contract remain in place, subject to some exceptions including pay.

#### Continuous Service

Continuous service continues to accrue during shared parental leave.

#### Annual Leave

Contractual annual leave entitlement continues to accrue during shared parental leave.

Employees will also be credited with a substituted day/s of paid leave for any bank holiday/statutory holiday which falls during their shared parental leave period.

#### Salary Sacrifice

Each salary sacrifice scheme has its own arrangements during shared parental leave. Employees should refer to the individual scheme details to find out arrangements during periods of shared parental leave.

#### Pension

Pension contributions continue to be payable on any statutory parental pay which is paid. Pension contributions are also payable on any SPLIT days worked.

A Weeks Pay

This is amount the School pays an employee under their contract of employment. Average weekly earnings are calculated by averaging gross earnings over a period of the last 8 weeks up to and including the last payday before the end of the qualifying week (the 15th week before the week baby is due) / the employee is matched with the child. This period may vary depending on how often the employee is paid (weekly, monthly or other intervals).

Sick pay, overtime, bonus, pay arrears and holiday pay are included in the calculation if the employee receives them in the set period. It is when the employee is paid the money that counts, not when it was actually earned.

### Statutory Parental Pay (ShPP)

Eligible employees are entitled to statutory shared parental pay for up to 37 weeks during shared parental leave.

**NOTE:** entitlement to shared parental pay is 37 weeks due to the 2 week compulsory maternity / adoption leave period.

The actual amount of shared parental pay available will depend on the amount by which the mother / adopter reduces their maternity / adoption pay period.

Shared parental pay can be shared between parents whilst on shared parental leave. It is up to the parents as to who is paid the shared parental pay and how it is apportioned between them.

To be eligible for shared parental pay an employee must meet all the eligibility requirements for shared parental leave and pay.

### Shared Parental Pay Rates

Statutory Shared Parental Pay for 37 weeks	Flat rate Shared Parental Pay <b>or</b> 90% of earnings (if less than ShPP)
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Where a **pay rise** is awarded which is effective at any time from the start of the set period used to work out ShPP and the end of shared parental leave, ShPP must be re-calculated.

Where **salary sacrifice** arrangements are in place during the period used to work out ShPP average weekly earnings, the calculation will be based on contractual earnings which count for NI contributions.



### **Casual workers**

Casual workers may be an entitlement to statutory shared parental pay.

Casual workers should contact Payroll in order for them to carry out an assessment to entitlement.

Parents can find some useful information and a tool to calculate rights to Maternity, Paternity and Shared Parental Leave and