Family Leave Policies - Schools

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1. POLICY

The purpose of this policy is to provide a clear, consistent and fair shared family friendly policies that enables the governing body to comply with its responsibilities under employment legislation and best practice. For alternative periods of leave not covered in this policy, please refer to the Special Leave Guidance.

2. SCOPE

This policy and procedure applies to all employees who work in a maintained school, but can be applied to Voluntary Aided, Trust Schools and Academy Schools. All Community and Voluntary Controlled schools where the Local Authority is the legal employer **must** follow this policy and procedure. This policy has been consulted on with recognised trade unions, and Voluntary Aided, Trust schools and Academies who choose to vary this policy, should undertake their own consultation on the changes.

3. TIME OFF FOR IVF TREATMENT

There is no statutory right for employees to take time off work (paid or unpaid) to undergo IVF investigations or treatment, but schools should treat attendance at IVF related appointments the same as any other medical appointment. Schools can therefore request that appointments are made outside of working hours where possible.

Once the employee has had the embryo transfer, they should be considered pregnant for the two weeks following, until it can be confirmed by a pregnancy test. Once the employee has a confirmed positive pregnancy test, they should notify the Head teacher or nominated representative.

If the pregnancy test proves negative, the employee is deemed to no longer be pregnant, 2 weeks after the attempt at implantation.

Sickness absence that arises as a consequence of IVF treatment should not be considered for absence management purposes.

4. MATERNITY & ADOPTION LEAVE

Antenatal Appointments

Pregnant employees have the right to paid time off work to attend antenatal care appointments. Antenatal care covers medical examinations and parent classes. However, the right to time off only applies if the appointment is prescribed by a doctor or registered medical practitioner. Employees should try to avoid taking time off work when you can reasonably arrange classes or examinations outside working hours. Managers should be given reasonable notice of appointments and evidence should be provided if requested. Partners of pregnant woman, refer to section 5.

Adoption Appointments

A primary adopter who qualifies for adoption leave has the right to paid time off work to attend 5 adoption appointments after they have been matched with a child. Partners of primary adopter, refer to section 5.

Both parents in a surrogacy arrangement are entitled to take time off work to attend two antenatal appointments with the woman carrying the child without pay.

Maternity and Adoption Leave

All pregnant employees or primary adopters, regardless of length of service, have the right to Statutory Maternity or Adoption Leave (SML / SAL) and to resume work afterwards. These arrangements apply to all permanent, fixed term and temporary contract employees. Statutory maternity or adoption leave is up to 52 weeks leave and is broken into:

- Ordinary Maternity Leave / Ordinary Adoption Leave (OML / OAL): The first 26 week period of maternity/adoption leave entitlement. The first 2 weeks of maternity leave are compulsory. The employee has the right to return to their exact role upon returning from leave during this period.
- Additional Maternity Leave / Additional Adoption Leave (AML / AAL): The remaining 26 week period of maternity/adoption leave entitlement. The employee's employment is protected, but they can be offered an equivalent role if their exact job is no longer available.

It is the responsibility of expectant employees and primary adopters to inform the school as soon as they know:

  - they are pregnant (no later than the 15th week before the Expected Week of Childbirth (EWC) unless this is not reasonably practicable or refer to the Burgundy book where applicable) or
  - confirming their intention to adopt within 7 days of being told that they have been matched with a child for adoption.

The MATB1 certificate or verifying document from the Adoption Agency, Local Authority or Social Services should be provided as soon as it is received, along with the Maternity / Adoption Leave Form (M1 /A1) which confirms:

- their intention to take maternity or adoption leave;
- the date they wish to start the maternity or adoption leave;
- the date they wish to return from maternity or adoption leave.

Maternity leave may start anytime from the 11th week before the baby is due until the birth of the baby. However, maternity leave will be automatically triggered if:

- The expectant employee is absent from work for a reason connected with the pregnancy at any time after the beginning of the 4th week before your EWC.
- If the baby is born before the proposed EWC your maternity leave and pay will commence the day after your baby is born. You should notify us in writing with a copy of the child's birth certificate as soon as is practicable.

Adoption leave may start up to 14 days before the child starts living with the employee (UK Adoption) or when the child arrives in the UK or within 28 days of this date (Overseas Adoption).

The maternity or adoption leave return date can be amended giving at least 8 weeks' notice (or refer to the Burgundy book if applicable) in writing of the date the leave was due to end.

Statutory Maternity / Adoption Pay

To qualify for statutory maternity or statutory adoption pay (SMP / SAP), employees must:

- be continuously employed for at least 26 weeks before the 'qualifying week' (15 weeks before the EWC) or before the child is 'matched'

- earn at least £123 a week, before tax, for at least 8 weeks before the 'qualifying week' or before the child is 'matched'
- give the correct notice
- give proof of the pregnancy, adoption, or fostering to adopt

A statutory pay calculator is available: https://www.gov.uk/maternity-paternity-calculator

Where a pregnant employee is not eligible for Statutory Maternity Pay (SMP), they may be entitled to claim Maternity Allowance. https://www.gov.uk/maternity-allowance

Statutory maternity or statutory adoption pay (SMP/SAP) is payable (subject to tax and NI deductions) as follows:

- Weeks 1-6 is paid at 90% of the gross average weekly earnings for the first 6 weeks (based on earnings during the 'qualifying period')
- Weeks 7-39 is paid at current SMP / SAP rate or 90% of their gross average weekly earnings (whichever is lower)
- Weeks 40 - 52 of maternity or adoption leave are unpaid.

Occupational Maternity / Adoption Pay

Full details on the occupational maternity and adoption pay can be found in the following accompanying guidance documents:

HR075_S (SCH) Maternity & Adoption Pay Guidance – Support Staff

HR075_T (SCH) Maternity & Adoption Pay Guidance – Teaching Staff

Disrupted Placement during Adoption leave

If a placement is disrupted during adoption leave the employee's leave will end eight weeks (beginning on a Sunday) after the end of the week during which the:

- employee is notified that the placement will take not place
- child dies
- child is returned, or
- (in the case of an overseas adoption), the child stops living with the adopter.

This is to allow the employee some time to recover from the change in circumstances before returning to work. It also allows time for the employee to give the Head teacher or nominated representative the eight weeks' notice required to return to work before the end of adoption leave.

However, if the OAL or AAL would have ended within eight weeks of the disrupted placement the following applies:

- If the disruption occurs during OAL - the employee's OAL continues until the expiry of the 26 weeks and they are entitled to part of the AAL to ensure 8 weeks' notice of the adoption leave ends after the change of circumstances.

- If the disruption occurs during AAL - the employee's AAL continues until the expiry of the 26 weeks which will mean returning to work before the end of 8 weeks.

Keeping in Touch Days (KIT)

Keeping in touch with work whilst an employee is on maternity or adoption leave can make it easier when it is time for them to return. As well as staying in contact, it can be agreed for employees to do up to 10 days' work during their period of leave. These are known as 'Keeping In Touch' days and can also be used for training or other events. Employees are not obliged to use these days but they may be useful during the maternity or adoption leave for employees to keep up to date with what is happening at work. A KIT day cannot be taken during compulsory maternity leave.

Employees should discuss and agree the arrangements of KIT days with their manager including how many hours or days they would like to work, and when. Whether a whole day or only part has been worked, one whole KIT day will be deducted from the 10 days entitlement, however payment will only be received for the actual hours worked in addition to any entitlement to maternity pay.

For example, 3 hours worked = 3 hours paid = 1 KIT Day

It is the manager's responsibility to keep a record of all hours worked and the date they are worked to ensure that only 10 KIT days are taken. It is also the manager's responsibility to inform HR when an employee uses their KIT entitlement so that they are paid appropriately.

5. PATERNITY (BIRTH AND ADOPTION SUPPORT) LEAVE

Antenatal Appointments & Adoption Meetings

The partners of pregnant women and primary adopters are entitled to take time off work to attend up to two antenatal or adoption appointments with the expectant mother or primary adopter. Both parents in a surrogacy arrangement are also entitled to take time off work to attend two antenatal appointments with the woman carrying the child. There is no entitlement to pay on these occasions.

Paternity or Birth and Adoption Support Leave

Up to 2 weeks Paternity or Birth and Adoption Support Leave may be available to employees who are:

- the child's biological father and expects to have responsibility for the child's upbringing; or
- is the mother's / primary adopter's spouse, civil partner or partner (but not the child's biological father) and has or expects to have the main responsibility (apart from any responsibility of the mother or primary adopter) for the child's upbringing; and is
- continuously employed by the same employer for at least 26 weeks up to any day in the 'qualifying week' or when adopter is formally notified by an approved adoption agency that they has been matched with a child for adoption; and
- taking time off to look after the child or their partner.

Paternity or Birth and Adoption Support Leave must be taken in blocks of 1 or 2 weeks. It cannot be taken in odd days. It cannot start before the birth or placement and must end within 52 weeks of the birth (or due date if the baby is early) or placement or the child's arrival in the UK (overseas adoptions).

The employee must formally notify the employer using BASL1 of the date on which they intend to take paternity leave and, where applicable, produce evidence supporting the claim for paternity or birth and adoption support leave. The employee must give a minimum of 28 days' notice of their intention to take Paternity Leave. Once confirmed, employees are required to give 28 days' notice to change the date. These arrangements apply to all permanent, fixed term and temporary contract employees.

Statutory Paternity Pay

To qualify for statutory paternity pay (SPP), employees must:

- be continuously employed for at least 26 weeks before the 'qualifying week' (15 weeks before the EWC) or before the child is 'matched'
- earn at least £123 a week, before tax, for at least 8 weeks before the 'qualifying week' or before the child is 'matched'
- give the correct notice
- provide proof of the pregnancy, adoption, or fostering to adopt.

A statutory pay calculator is available: https://www.gov.uk/maternity-paternity-calculator

Statutory Paternity Pay (SPP) is payable (subject to tax and NI deductions) as follows:

- Current statutory rate per week or 90% of the weekly earnings (whichever is lower)

Occupational Paternity or Birth and Adoption Pay

Eligible employees will receive full pay for two weeks, including the SPP element during their period of Paternity or Birth and Adoption Support Leave.

6. SHARED PARENTAL LEAVE

Shared Parental Leave (SPL) gives more choice in how two parents can care for their child. Eligible parents who are sharing responsibility for a child can get SPL in the first year after:

- the birth of their child
- adopting a child
- getting a parental order if they had the child through surrogacy

Its purpose is to give parents more flexibility in considering how best to care for and bond with their child. All eligible employees have a statutory right to take Shared Parental Leave (SPL).

Ways eligible parents could use SPL include:

- the birth parent/primary adopter returns to work early from maternity or adoption leave and takes SPL at a later date
- the birth parent/primary adopter returns to work and their partner takes SPL
- both parents are off at the same time
- both parents share SPL evenly and are off at different times
- both parents return to work at the same time and take SPL at a later date

Shared Parental Pay (ShPP) may also be available depending upon eligibility.

Shared Parental Leave and Pay can be planned using the Gov.uk planning tool: https://www.gov.uk/plan-shared-parental-leave-pay

Shared Parental Leave should not be confused with Ordinary Parental Leave (see page 15), (which allows qualifying employees 18 weeks of unpaid leave or each child up to their 18th birthday. The right to Ordinary Parental Leave is unaffected by Shared Parental Leave.

Eligibility

In order to qualify, an employee must have a partner who shares the main responsibility for the care of the child at the time of the birth/placement for adoption and is either:

- their spouse, civil partner or joint adopter/intended parent;
- the child's other parent; or
- their partner.

Each parent should declare that they meet the employment and earnings test. This requires them to have worked for any 26 out of the 66 weeks leading up to the EWC or matching date for Adoption/Surrogacy arrangements and earned at least £30 gross a week for any 13 of those 66 weeks.

To be eligible for ShPL, each parent must:

- have at least 26 weeks' continuous service with the same employer by the end of the 15th week before the EWC or matching date for Adoption / Surrogacy.
- still be working for the same employer when they intend to take the leave.
- Have earnings for the eight-week period prior to the 15th week before the EWC or Adoption / Surrogacy placement date over the lower earnings limit. For further information on the lower earnings limit see https://www.gov.uk/government/statistics/state-pension-coverage-lower-earnings-limit-and-multiple-jobs
- Employees in a surrogacy arrangement, who are eligible and intend to apply for a parental order (where required), and employees adopting through an approved agency and applying for an adoption order, may also be eligible for ShPL. They can opt into ShPL once they have accessed Adoption Leave and Pay

If circumstances change and the birth parent/primary adopter/intended parent and/or their partner no longer have caring responsibility for the child, they must immediately inform the school that they are no longer entitled to ShPL.

If an employee fraudulently or negligently gives incorrect information or makes a false statement or declaration about their circumstances, the matter will be investigated under the disciplinary procedure.

Shared Parental Leave

Shared Parental Leave can be planned using the Gov.uk planning tool: https://www.gov.uk/plan-shared-parental-leave-pay

Eligible employees, may be entitled to take up to 50 weeks' SPL during the child's first year in their family.

Shared parental leave can start on any day of the week but can only be taken in **complete weeks.** It can be for one continuous period of time or split up into a maximum of three separate chunks of time or 'discontinuous' leave.

The number of weeks available is calculated using the birth parent/primary adopter's entitlement to maternity/adoption leave which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement, then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

A birth parent/primary adopter may reduce their entitlement to maternity/adoption leave by returning to work before their full entitlement to 52 weeks has been taken, or they may give notice to curtail their leave at a specified future date.

The birth parent/primary adopter can take SPL after they have taken 2 weeks of compulsory maternity/adoption leave.

The father/partner/spouse can take SPL after the two week paternity leave period, up to 52 weeks from the birth/placement.

If the employee is eligible to receive it, Shared Parental Pay (SHPP) may be paid for some, or all, of the SPL period. SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday/anniversary of placement for adoption is lost

Shared Parental Pay

Eligible employees will be entitled to claim ShPP of up to 37 weeks (less any weeks of Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Pay already claimed) within one year from the birth or placement.

Current ShPP rates can be found here: https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get

To qualify for Shared Parental Pay an employee must

- Meet the qualifying requirements for shared parental leave and have a partner who meets the "employment and earnings test"
- Have earned above the lower earnings limit in the eight weeks leading up to and including the 15th weeks before the week in which the baby is due to be born and is still employed by the same employer at the start of the first period of shared parental pay.
-

The amount of shared parental pay available for parents to take between them is up to 37 weeks. Shared parental pay is paid as follows:

- 37 weeks at the lower of
    - The statutory prescribed rate or
    - 90% of relevant parent's normal weekly earnings (subject to lower earnings limit)
- The remaining 13 weeks of any SPL are unpaid

To claim shared parental pay (SHPP), the birth parent/primary adopter must give notice to end their maternity/adoption leave (SPL1).

Requesting Shared Parental Leave

An employee entitled and intending to take SPL must give the school notification of their entitlement and intention to take SPL at least 8 weeks before they can take any period of SPL. As long as there is some outstanding statutory maternity or adoption leave remaining, and the 2-week compulsory maternity/adoption leave has been taken, the employee can opt to take SPL at any time.

Employees can use the government planning tool to aid their decision making. https://www.gov.uk/plan-shared-parental-leave-pay

To apply for SPL, the employee must submit the (form SPL1) "Notice of Entitlement & Intention to Take Shared Parental Leave Form" and this must be signed by the birth parent/primary adopter and their partner, to confirm that both parties are eligible to take SPL. This must be at least 8 weeks before any period of leave may begin. If the baby is not yet born, it could state that leave may start X weeks following birth.

- Leave may be continuous (i.e. in a single block) or discontinuous (in several blocks).
- Each eligible parent can submit a maximum of three notice booking requests.

Where the request cannot be automatically agreed, or where further discussion is needed to plan for the absence, a meeting should be arranged to discuss the request within 10 working days of the receipt of the (SPL1) ""Notice of Entitlement & Intention to Take Shared Parental Leave Form.

The meeting is to discuss:

- Eligibility
- The employee's preferences and what leave they may be seeking
- How to mitigate the impact of the absence
- What impact the leave arrangements might have on service provision and how this could be mitigated
- Whether any modification to the leave would reduce such impact
- If other considerations could help achieve a mutually beneficial agreement
- The likely outcomes if the request is not agreed. (in the case of discontinuous leave)
- What impact the leave arrangements might have on service provision and how this could be mitigated
- Whether any modification to the leave would reduce such impact –(SPL 11- suggest alternative dates)
- If other considerations could help achieve a mutually beneficial agreement

The employee may be accompanied by an appropriately trained and elected trade union representative or workplace colleague.

A request for continuous leave cannot be refused so the discussion must be about confirming the arrangements and any action required to mitigate the absence.

For discontinuous leave that falls outside of the school closure periods, discuss how the request could be met, or whether other arrangements could be agreed to meet employee aspirations and work requirements. If the leave is agreed by all parties, the manager should send the employee a letter confirming their entitlement to take SPL.

If the request cannot be agreed the line manager must document their rationale and inform the employee in writing explaining to them why it cannot be agreed, describing the business impact reasons for the decision.

If no agreement is reached, the discontinuous leave application is refused, or the manager does not respond to the request within 14 calendar days, the employee must decide whether to take the leave as a continuous block or to withdraw it. This would not count as one of the 3 notices to book leave.

If the employee does not withdraw the request that has been refused, a discontinuous leave notification automatically defaults to a period of continuous leave. Within 19 calendar days of the original notification, the employee can chose when the continuous leave will commence. This cannot be sooner than the date that the original notification was given. If the employee does not choose to tell their line manager, the start date automatically defaults to the date that the requested discontinuous leave would have started.

Other than in this circumstance, notices to take leave can only be withdrawn if:

- If the notice was given prior to the birth/placement of the child - the birth parent/primary adopter can within the first 6 weeks of the birth/placement of the child, revoke the notice and does not need to provide a reason for doing so.
- If a curtailment notice was given after the birth of the child, it can only be revoked if within 8 weeks of having given that notice it transpired that neither parent is entitled to shared parental leave, or if the parent dies.

Amending a Request

If an employee wishes to amend or cancel an agreed period of leave they must send the employer written notice to vary the leave using form SPL2 "Notice to Vary a Period of Shared Parental Leave". The variation notice may:

- Vary start and end dates
- Vary the amount of leave
- Ask for single period of leave to become discontinuous or vice –versa

- Cancel a block of leave

The notice to vary must give notice of 8 weeks prior to the date to be varied.

Employees can only submit a maximum of 3 period of leave notices and or requests for variation.

Agreed changes can be confirmed to the employee in writing.

Keeping in Touch - SPLIT Days

Managers and employees should agree in advance how the manager should keep in touch with the employee during the period of SPL to share relevant information and updates.

During a period of SPL the employee and the manager can agree up to 20 Shared Parental Leave in touch days (SPLIT days),(SPL 8 should be issued to the employee) these can be used for example to attend a work related activity. These days are in addition to any maternity or adoption KIT days.

- Untaken maternity/adoption KIT days cannot be carried over to a period of SPL
- SPLIT days are paid at the employee's normal hourly rate for the amount of hours they work on that day. Therefore if the SPLIT day is taken during a period when the employee is in receipt of enhanced pay then no further payment is due.
- If the SPLIT day is taken when the employee is in a period of statutory pay, the employee's pay should be enhanced to full pay for the hours worked likewise if the employee is in a period of nil pay they should be paid at their normal hourly rate for the hours worked.
- The school is not obliged to offer SPLIT days and the employee does not have to agree to them.

Returning from SHPL

The manager should arrange to meet the employee in order to update them about work and role specific activity. Where relevant, discuss plans for other periods of time off, e.g. SPL or annual leave.

Depending on how long the employee has been away from work

- Develop an induction plan for the first few weeks to enable a smooth transition back to work
- Set, agree, review performance objectives

Changing Circumstances

If the parent's circumstances change the employer may hold the employee to the agreed arrangements in certain circumstances, so that the employer always has 8 weeks' notice of any change to the planned arrangements.

The employer may still require the parent to take the period of leave if, less than 8 weeks before either parent is due to take a period of parental leave;

- The parent informs their employer that they no longer meet the conditions of entitlement and
- It is not reasonably practicable for the employer to accommodate this change in circumstances
-

The leave should be treated as shared parental leave and will start on the same date that the next period of leave was due to start. It will either end on the same date or 8 weeks from the date the employer was informed of the change in circumstances, whichever is earlier.

7. NEONATAL CARE LEAVE

Neonatal Care Leave;

- Is a statutory right to leave for parents of babies receiving neonatal care, and with pay if eligibility criteria are met.
- Preserves other family leave entitlement.
- Must be taken for the purposes of caring for the baby.

Neonatal Care is defined as;

- Medical care received in a hospital.
- Medical care in any other place if the baby has been an inpatient in hospital and the care is received upon the baby leaving hospital, the care is provided under the direction of a consultant or the care included ongoing monitoring by and visits to the baby from healthcare professionals arranged by the hospital.
- Palliative or end of life care.

Eligibility

Neonatal Care Leave is;

- available for babies born on or after 6th April 2025.
- available to those with a legal status of employee from day 1 of employment.
- available to parents of babies receiving neonatal care for 7 consecutive days or more commencing within 28 days of the baby's birth. For employees with adoption arrangements Neonatal care leave will only accrue for 7 consecutive days or more of care from the date or placement or the baby enters Great Britain (in cases of overseas adoptions).
- available to Mother, Father, Mother's partner, Adopter, Adopter's partner, Intended Parent with a parental order or intend to apply within 6 months of birth (in cases of surrogacy). It is not available to Father's partner or Grandparents.

The employee must be caring for the baby at the time of taking the leave

Eligible employees are entitled;

- to up to a maximum of 12 weeks leave per pregnancy.
- to accrue 1 week of leave for each 7 consecutive days the baby receives neonatal care up to a maximum of 12 weeks.

A parent can accrue neonatal care leave for each baby born of the same pregnancy however, the maximum neonatal care leave that can be accrued is 12 weeks in total for all babies associated with the one pregnancy. The qualifying periods are assessed separately for each baby except where the babies are receiving care at the same time.

Statutory Neonatal Care Pay (SNCP)

Up to 12 weeks Statutory Neonatal Care Pay (SNCP) will be available for parents who meet the eligibility criteria.

SNCP will be payable at the lower of £187.18 (correct at April 2025) per week or 90% of normal weekly earnings.

To be eligible for SNCP the employee must;

- have 26 weeks continuous employment before the relevant week.
- have average earnings of at least the lower earnings limit in the 8 weeks up to the end of the week before the baby receives neonatal care.
- still be in employment the week before the neonatal care pay period.
- They must also be caring for the baby at the time of taking the pay (This can mean caring for and visiting the baby while they are in hospital)

The following is considered as the relevant week.

Where the employee qualifies for statutory maternity pay, statutory adoption pay, or statutory paternity pay the same criteria will be used to assess eligibility for SNCP.

However, if an employee is not eligible for one of these statutory payments they may still qualify for SNCP as the relevant week for assessing eligibility in these circumstances is the week before neonatal care leave starts.

Notice for SNCP under Tier 1 must be given within 28 days starting from the first day that neonatal care pay is being claimed for. Notice for SNCP under Tier 2 is the same as notice for Tier 2 neonatal care leave as stated in the procedure and notice provisions section below. Notice for SNCP must be in writing.

If an employee is not eligible to receive SNCP, payroll will write to the employee within 28 days of receiving the notice for SNCP providing a reason why the employee is not eligible.

Procedure and Notice Provisions

Employees must provide notice to take neonatal care leave and this comes under two tiers. Less notice is required if leave is taken during the Tier 1 than the Tier 2 period. Notice for statutory neonatal care pay is different again and explained above. Notice may be provided by a family member or friend in the first instance but formal notice must follow by the employee. In the case of multiple births (including twins and triplets), employees should provide this information for each baby.

Tier 1

- Applies to the period beginning with the day the baby started neonatal care and ending with the 7th day after the day the baby stopped receiving care.
- For multiple babies of the same pregnancy this period is defined as beginning with the day the first baby started receiving neonatal care and ending with the 7th day after the day the last baby stopped receiving care.
- Leave can start on the day after the first qualifying period ends. (The qualifying period is a period of 7 consecutive days which the baby receives neonatal care, starting at midnight on the day after the baby is admitted and ending at midnight at the end of the 7th day, if the baby is discharged before midnight on the 7th day there will be no entitlement as the period must be 7 full days and continuous.
- Leave can be taken in non-consecutive weeks.
- Notice must be given for each week of leave that is taken before the employee is due to start work on the employee's first day of absence unless it is not reasonably practical. In which case notice must be provided as soon as is reasonably practical.
- Leave cannot be cancelled.

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

Example: if the baby was born at 2pm on Monday the 1st of May, the first day of the 28 days would be Tuesday the 2nd of May and the final day of the 28 days would be midnight on Tuesday the 29th of May.

Tier 2

- Applies for leave being taken in the period 7 days after the baby stops receiving neonatal care and up to the 68 week cut off.
- Leave must be taken in consecutive weeks.
- If the employee is only eligible for a single week of leave, notice must be given no later than 15 days before the first day of leave.
- If the employee is eligible for two or more consecutive weeks of leave, 28 days' notice must be provided.
- Leave can be cancelled providing the same notice as stated above (15 or 28 days).

Notice requirements will only be waivered in exceptional circumstances and by mutual agreement.

Notice must be in writing (for tier 1 leave, verbal notice may be accepted) and specify;

- the name of the employee giving notice to take neonatal care leave.
- the date of birth of the baby and if adoption the date the baby is placed or in cases of overseas adoption the date the baby entered Great Britain.
- the date the baby started to receive neonatal care or all dates the baby started to receive neonatal care if multiple qualifying periods.
- the date the neonatal care ended if the baby is no longer receiving neonatal care.
- the date on which the employee chooses the period of absence to begin.
- the number of weeks of neonatal care leave the notice is being given for.
- confirmation that the employee is taking the leave to care for the baby.
- confirmation that the employee claiming the neonatal care leave meets the eligibility conditions if this is the first time notice is given in respect of the baby.

If notice is to take neonatal care leave before the baby has stopped receiving neonatal care leave they must inform the employer of the date the care ends as soon as reasonably practical.

Maternity and adoption leave cannot be stopped and re-started therefore, neonatal care leave must be taken at the end of maternity or adoption leave. This may mean that a new mother may end up taking a total of 64 weeks leave.

For other types of family leave such as paternity and shared parental leave, neonatal care leave under tier 1 can be taken at the end of a continuous period of leave.

If starting another family leave whilst on neonatal care leave under tier 1, neonatal care leave ends immediately and any remaining entitlement can be taken once the other leave has finished.

Whilst an employee is on neonatal care leave, managers will be encouraged to keep in touch with the employee. Given the difficult circumstances, this may be agreed with the employee to be through a family member or friend initially. Contact must be made with the employee when deemed appropriate.

Employees on neonatal care leave will have protection from detriment and unfair dismissal as well as the right to the benefits of terms and conditions and the right to return to the same job. if they also take parental leave of more than four weeks or a total statutory leave (not including parental leave) of more than 26

weeks, the right to return to another suitable job if it is not reasonably practicable to return to the previous job.

Employees on neonatal care leave are protected from redundancy and must be offered a suitable alternative vacancy similar to those taking other forms of family leave. For employees who have taken neonatal care leave for 6 consecutive weeks or more, this protection will be extended for 18 months from the date the baby is born or date of placement for adoptions. For overseas adoptions the date the baby entered Great Britain is used.

Support Links

School Specific employee assistance programme

Insert school specific details

Bliss

For support and information for parents with a baby in neonatal care, including information on bereavement support visit www.bliss.org.uk.

Sands

For support following the death of a baby before, during or shortly after birth visit www.sands.org.uk

Child Bereavement UK

For support if the baby dies visit www.childbereavementuk.org

Mind

For mental health information and support visit www.mind.org.uk

Cruse Bereavement Support

For advice on coping with a death visit www.cruse.org.uk

Hospice UK

For help talking about dying, death and bereavement visit www.hospiceuk.org

Sue Ryder

For advice on coping with a death visit www.sueryder.org

The Smallest Things Charity

A charity which promotes good health of premature babies and their families

Families and Work Group - Working Families

A charity that provides online guidance and a helpline for working parents and carers on their employment rights — including leave entitlements, access to flexible working, childcare, and benefit entitlements. The charity's legal advice is free, and it also offers a Family Friendly Workplaces certification scheme for employers

PANDAS Foundation UK

Supports individuals, their families and carers suffering pre and postnatal mental illnesses via helpline, email, online community and support groups.

8. PARENTAL LEAVE

Eligibility

The right to take unpaid parental leave is available to employees with one year's continuous service with the school (by the date on which the parental leave is to start) who have, or expect to have, responsibility for a child (by way of being a parent) and who appear on the birth certificate, having registered the birth jointly with the mother.

In the case of adoptions, parental leave may be taken from the time of placement with the prospective adopters (not the date of the adoption order) or, in the absence of a placement date (e.g. where a step-parent adopts their partner's child) from the time parental responsibility is acquired.

Parents do not have to live with the child to qualify for the right to take parental leave.

Parental leave is to be taken for the purpose of caring for the child for example to:

- spend more time with the child
- accompany a child during a stay in hospital
- assess new schools
- help a child settle in to new child care arrangements
- enable the family to spend more time together – for example taking the child to stay with grandparents.

Parental leave may be added to maternity, birth or adoption support leave (paternity) subject to the terms and conditions of this policy and procedure.

The right to parental leave applies up to the child's 18th birthday (see below for definition). The period of parental leave must end by the relevant birthday unless a manager's postponement causes the leave to end beyond it.

Entitlements

A total of up to 18 weeks unpaid parental leave may be taken for each qualifying child, including each child in a multiple birth or adoption. The total includes parental leave already taken for the child in question with a previous employer.

Parental leave may be taken in blocks of one, or more than one, contractual working shifts/weeks. If the employee has an irregular working pattern this will be calculated by averaging the previous 13 weeks work.

An employee can take parental leave in blocks of days rather than weeks if they receive one of the following for their child:

- Disability Living Allowance
- Personal Independence Payment

An employee may not normally take more than **four weeks** parental leave per year. For these purposes, a year starts when the employee becomes eligible for parental leave (either when the child is born, or when they have worked for the organisation continuously for one year, whichever comes later). Each successive twelve-month period begins on the anniversary of the relevant date.

Terms and conditions of employment, apart from pay and, in some circumstances, pension contributions, will apply during parental leave and service is not broken by the leave, unless either party brings it to an end. Members of one of the school's occupational pension schemes must continue to pay their employee pension contributions for the first 30 days of parental leave.

If the parental leave is less than four weeks the employee will be able to go back to the same job and will benefit from improvements in employment terms and conditions which would have applied had they been at work. If the parental leave is for longer than four weeks then the employee is entitled to return to the same job or, if that is not possible, a suitable and appropriate job.

Making a Request

Employees should make a request using the P1 form, providing proof of parental responsibility and giving at least 21 days' notice unless this is not reasonable possible (e.g. a child is born prematurely or where less than 21 days is given on an adoption placement).

The Head teacher must consider the request and determine whether it can be accommodated. They should determine how much leave the employee has taken in this and previous employments.

In considering whether the requested parental leave would cause undue disruption to the organisation's operations, the Head teacher or nominated representative will consider:

- Seasonal peaks in work
- Whether a significant proportion of the workforce has applied for parental or other leave at the same time
- Whether the employee's role is such that their absence at a particular time would unduly harm the school
- Whether suitable cover can be found within the notice period and
- Whether a postponement is necessary to ensure continuity of education provision

Requests for unpaid parental leave cannot be postponed (delayed) if:

- the employer doesn't have a 'significant reason', e.g. it would cause serious disruption to the business
- it's being taken by the father or partner immediately after the birth or adoption of a child
- it means an employee would no longer qualify for parental leave, e.g. postponing it until after the child's 18th birthday

If it's postponed, the employer:

- must write explaining why within 7 days of the original request
- suggest a new start date - this must be within 6 months of the requested start date
- can't change the amount of leave being requested

Once parental leave has been agreed the employee is free to take the leave in accordance with the agreement. The parental leave may not be postponed or cancelled by the Head teacher or nominated representative and may only be cancelled or postponed by the employee in exceptional circumstances and at the discretion of the Head teacher or nominated representative. Parental leave taken must be recorded on weekly Sickness and Absence Record (SARS).

The Head teacher or nominated representative will normally meet with the employee on or before the employee's return to work, as agreed between them, to make arrangements for the employee's smooth return to work. The nature of the arrangements will depend on the circumstances, including the duration of parental leave.

If an employee is dissatisfied with the management of, or a decision in relation to, parental leave they should try to resolve the problem informally in the first instance.

If the employee wishes to appeal, they must write explaining their grounds to the clerk to governors within **five** working days of receipt of the parental leave decision.

The clerk to governors will arrange for a panel of governors to meet with the employee to hear the appeal. A minimum of **five** working days' notice will be given of the meeting. The employee has the right to be accompanied by an appropriately trained and elected trade union representative or work colleague to the meeting. If the employee, or their representative, cannot attend on the date arranged, they can suggest one other meeting date as long as this is within five working days of the original date of the meeting.

The clerk to governors will inform the employee of panel of governor's decision and confirm it in writing normally within **five** working days of the meeting. There is no further right of appeal.

9. PROTECTION FOR EMPLOYEES

Employees taking Maternity, Adoption, Shared Parental Leave or Neonatal Care Leave are entitled to the benefit of all terms and conditions of employment, except remuneration, that would have applied if they had not been absent.

The right to return to the same job depends of the length of leave:

- OML / OAL / SPL/NCL of 26 weeks or less – entitled to return to same job regardless of the amount of periods of leave taken
- AML / AAL / SPL/NCL in excess of 26 weeks – entitled to return either to the same job or a similar job if not reasonably practicable to return to the same job

Employees have protection against dismissal and/or detriment for making or proposing to make use of their shared parental leave

Employees on Maternity, Paternity or Adoption leave have priority over other employees at risk of redundancy for up to and including 18 months from the date of childbirth or placement (or the date the child enters Great Britain if adopting from overseas). Employees on Shared Parental leave or Neonatal Care Leave also have priority over other employees at risk of redundancy. This protection is extended for those who take a period of 6 weeks or more Shared Parental Leave or Neonatal Care Leave for up to 18 months after the date of childbirth or placement.

10. FLEXIBLE WORKING REQUESTS

Employees can make an application for flexible working from day one of their employment. Full details on how to apply can be found in **HR014 Flexible Working Policy & Procedure**, available from the Head teacher.

11. TIME OFF FOR DEPENDENTS

There is no statutory obligation to time off for dependents to be paid leave, however, all employees (irrespective of length of service, and whether they are part time or full time) are entitled to take a reasonable amount of unpaid time off during working hours in order to take necessary action to deal with unexpected emergencies. Some schools within Herefordshire have adopted an approach whereby they will grant a total of 5 days in one year with pay (pro-rated for part time employees) and all other subsequent days taken to care for dependants will be unpaid. What is reasonable is for each school to determine and apply consistently throughout the staff.

A dependant is:

- a spouse;
- a civil partner;
- a child;
- a parent;
- a person who lives with the employee other than as their employee, tenant, lodger or boarder;
- any other person who would reasonably rely on the employee for assistance if they fell ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- in relation to the disruption or termination of care for a dependant, any other person who reasonably relies on the employee to make arrangements for the provision of care.

Examples of unexpected emergencies include:

- to provide assistance when a dependant falls ill, gives birth or is injured or assaulted;
- to make arrangements for the provision of care for an ill or injured dependant;
- in consequence of the death of a dependant;
- because of the unexpected disruption or termination of arrangements for the care of a dependant;
- to deal with an incident that involves their child and occurs unexpectedly while the child is at school/other educational establishment.

The employee must inform their Head teacher or nominated representative of the reason for their absence and how long they expect to be absent as soon as is reasonably practicable. The amount of time off will vary depending on the emergency. In some situations an hour or 2 may be sufficient. Time off work under this right is envisaged as being no more than one or two days in most cases. If it is expected that more than 2 days is needed you should speak with your Head teacher or nominated representative about taking annual leave, or whether it may be possible to agree to extend the unpaid leave.

12. CARER'S LEAVE

Entitlement

A total of 1 week's unpaid leave in a 12 month period may be taken to provide or arrange care for a dependent who has a long term care need. Time can be taken in blocks of ½ a day to 1 continuous week. For the purpose of Carer's Leave, a week is defined as the hours normally worked in a week (Monday to

Sunday). If the hours vary week to week, an average of the total hours worked over the preceding 12 months (ending on the last day of Carer's Leave requested) will be calculated by dividing by 52 weeks.

A dependent is defined in point 10. Time Off For Dependents.

A person has a long-term care need if:
- They have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months,
- They have a disability for the purposes of the Equality Act 2010, or
- They require care for a reason connected with their old age.

Notice

Evidence is not required to prove an employee's entitlement; however, employees must provide notice confirming the fact that they are eligible to take Carer's Leave and have not already exhausted their entitlement in the preceding 12 months. The notice must also contain the dates they wish to take the leave.

Notice must be provided to the employer with a minimum of three days before the start of the first requested day or double the number of days requested, whichever is the earliest. For example, if the employee is requesting 1 day Carer's Leave, a minimum of 3 days' notice is required. If the employee is requesting 2 days Carer's Leave, a minimum of 4 days' notice is required.

Postponing Carer's Leave

Employers can postpone the Carer's Leave so long as they reasonably believe the operation of their business would be unduly disrupted. Employers will not prevent or attempt to prevent an employee from taking Carer's Leave nor will they unreasonably postpone a request to take Carer's Leave.

Employers must consult with the employee on a proposed new date and this must be no later than 1 month after the first day of the original request. Employers must then provide written notice including a reason why the request has been postponed and the new agreed dates for the leave. This notice must be provided as soon as is reasonably practicable but no later than 7 days after the employee provided notice or the first date of the original requested leave, whichever is the earliest.

Protection

Employees will be protected from any detrimental treatment or dismissal due to taking, looking to take or the employer assuming they will be taking Carer's Leave.

13. PARENTAL BEREAVEMENT

Still Birth & Miscarriage

If a baby is stillborn before the end of the 24th week of pregnancy it is treated as a miscarriage, and whilst the employee does not qualify for maternity leave, they would qualify for compassionate leave and/or sick pay.

Where a baby is still born, or passes away after 24 weeks of pregnancy, the employee will be issued with a stillbirth certificate, which will entitle the employee to still receive maternity leave and maternity pay or maternity allowance. The employee's partner may also be entitled to paternity leave, subject to meeting the eligibility criteria.

Parental Bereavement Leave

Where a baby is stillborn after the 24th week of pregnancy, or where a child under the age of 18 dies, parents may also be eligible for 2 weeks Parental Bereavement Leave, paid at full pay (inclusive of the Statutory Parental Bereavement Pay). This is a day one right for all employees.

To qualify the employee must be:

- the child or baby's parent - either biological, adoptive or parent of a child born to a surrogate
- the partner of the child or baby's parent

Biological parents of the child or baby will not be eligible for Parental Bereavement Leave and Statutory Parental Bereavement Pay after an adoption or parental order was made, unless there was a contact order in place.

Where an employee had day to day responsibility for the child, but doesn't meet the criteria above, they may still qualify for Parental Bereavement Leave if both of the following apply:

- the child or baby was living with them at their home for 4 continuous weeks, ending with the date of death
- the employee had day to day responsibility for the child or baby's care during that time

If the employee was being paid to look after the child or baby, they do not qualify for leave or pay unless they were:

- a foster parent being paid a fee or allowance by a local authority
- reimbursed for expenses related to caring for the child or baby
- getting payments under the terms of a will or trust for the child or baby's care

If the employee was an adoptive parent they are eligible for pay or leave:

- after the adoption order was granted
- before the adoption order was made, if the child was placed with them and the placement was not disrupted (for example, being temporarily placed elsewhere) or stopped

If the employee was an adoptive parent of a child from outside the United Kingdom and the adoption order had not yet been made, they may still be eligible. Both of the following must apply:

- the child was living with the employee after entering the United Kingdom
- the employee has the 'official notification' confirming they were allowed to adopt

If the employee had a baby with the help of a surrogate parent, they are eligible for pay or leave:

- after a parental order was made
- before a parental order was made if they had applied or intended to apply for a parental order within 6 months of the child's birth and expected it to be granted

Employees may be asked to submit a declaration to confirm their eligibility for Bereavement Leave.
https://www.tax.service.gov.uk/submissions/form/claim-statutory-parental-bereavement-pay/what-is-your-relationship-to-the-child?n=0&se=t

Employees can take:

- 2 weeks together
- 2 separate weeks of leave
- only one week of leave

The Parental Bereavement Leave must be taken within 56 weeks of the date of death or stillbirth.

Parental Bereavement Leave must start after any other statutory leave has ended but does not have to be taken immediately after. This includes if the statutory leave is for another child.

Parental Bereavement Leave can be taken between blocks of shared parental leave booked before the child died. This includes if the shared parental leave is for another child.

The employee must provide reasonable notice to take Parental Bereavement Leave, typically:

- 0-8 weeks after the child's death or stillbirth – Notify before your normal start time that you wish to commence Parental Bereavement Leave.
- 9-56 weeks after the child's death or stillbirth – Employees should, where possible, give at least one weeks' notice before commencing Parental Bereavement Leave.

Employees may be eligible for both Parental Bereavement Leave and Pay and Neonatal Care Leave and Pay providing they fulfil the necessary criteria. If eligible for both entitlements, the employee must take their Parental Bereavement Leave within 56 weeks of the baby's death and they have up to 68 weeks following the birth of the baby to take their Neonatal Care Leave. This must be taken into account if for example, your employees' baby dies at 50 weeks old and they have accrued 12 weeks of Neonatal Care Leave and are also eligible for Parental Bereavement Leave. In this instance, the employee would need to take their 25 Parental Bereavement Leave after their Neonatal Care Leave has finished. This is because there is a greater window of time from the baby's death to take the Parental Bereavement Leave than there is to take Neonatal Care Leave where the window starts with the baby's birth.

14. FOSTERING

There is no statutory right to paid time off for employees who foster a child, except in a "foster to adopt" situation. Meetings and training, should be arranged outside of working hours where possible. Schools could consider allowing flexibility to working hours and unpaid leave to support an employee who plans to foster.

All employees have the right to request flexible working. Employees who are foster parents could use this right to request a working pattern that fits with their caring responsibilities. The employer is not obliged automatically to agree to a request for flexible working, but must deal with the request in a reasonable manner and may refuse it only if one of a specified list of business reasons applies to the specific circumstances.

If the employee is a local authority foster parent who is also approved as a prospective adopter and a child is placed with the employee in a "foster to adopt" situation, they will be entitled to adoption leave and pay.

Foster parents may also be entitled to unpaid Parental Leave (see page 15).

15. REVIEW

This document will be reviewed after three years unless circumstances demand a review before then.

HR Services will monitor the effectiveness of the policy through information received via feedback from Head teachers and employees through, for example, management team meetings and exit interviews, as well as the numbers of employees using this procedure.

Version	Status	Date	Description of change	Reason for change	Pages affected
V1.0	New Document	October 2023	HR011 (SCH) incorporated – Shared Parental Leave Policy	To have all Family Leave policies in one document	All
			HR017 (SCH) incorporated – Adoption policy and procedure	To have all Family Leave policies in one document	All
			HR018 (SCH) incorporated – Birth and Adoption Support policy and procedure	To have all Family Leave policies in one document	All
			HR016 (SCH) Parental Leave Policy and Procedure	To have all Family Leave policies in one document	All

		January 2024	Included Carer's Leave and new paternity rights which became effective from 6th April 2024	New Employment Legislation	Page 7 and 8
		June 2024	Updated wording post April 2024 Legislative changes	New Employment Legislation	Page 7 and 8
V2.0	Draft	September 2025	Addition of Neonatal Care Leave	New Employment Legislation	11-18

M1 (SCH) MATERNITY LEAVE FORM

SECTION 1 - ABOUT YOU			
Name:		**ResID:**	
School:			

SECTION 2 – EXPECTED DATE OF CHILDBIRTH
My baby is due on:

SECTION 3 – MATERNITY LEAVE	
Maternity Leave start date:	
OR I wish for my maternity leave to start the day after my baby is born	☐ Yes ☐ No
Maternity Leave end date:	

☐ The start date is no earlier than 11 weeks prior to the estimated due date

☐ The end date is no more than 52 weeks from the start date

SECTION 4 - EVIDENCE OF ENTITLEMENT
☐ I enclose my MAT B1 Maternity Certificate ☐ My MAT B1 will be forwarded once issued by my doctor / midwife

SECTION 5 - ABOUT STATUTORY MATERNITY PAY (SMP)	
I have 26 weeks or more continuous service before the qualifying week	☐ Yes ☐ No

SECTION 6 - ABOUT OCCUPATIONAL MATERNITY PAY	
I have more than one year's continuous service at the beginning of the 11th week before the estimated week of childbirth	☐ Yes ☐ No
I wish to receive 12 weeks half pay during my Maternity Leave and it is my intention to return to work following my maternity leave.	☐ Yes ☐ No
I understand that if I do not return to work for 3 months (Support Staff) or 13 weeks (Teaching Staff) I will be required to repay 12 weeks half pay (excluding the SMP).	☐ Yes ☐ No

☐ The information given is true to the best of my knowledge and belief.

☐ I have read the Family Leave Policy and Procedure.

☐ I agree to its terms and conditions.

Employee signature: **Date:**

A1 (SCH) ADOPTION LEAVE FORM

SECTION 1 - ABOUT YOU			
Name:		**ResID:**	
School:			

SECTION 2 - ABOUT THE PLACEMENT	
I am the child's primary adopter; and I have notified the adoption agency that I agree that the child should be placed with me and I agree to the date of placement.	□ Yes □ No

SECTION 3 – ADOPTION LEAVE	
Adoption Leave start date:	
Adoption Leave end date:	

The start date is:

□ The day on which the child is placed with me for adoption (UK), or the date on which the child enters Great Britain (overseas); or

□ A date which is no more than 14 days before the expected placement date and no later than the day of placement (UK) or no later than 28 days after the date on which the child enters Great Britain (overseas).

The end date is:

□ No more than 52 weeks from the start date

SECTION 4 - EVIDENCE OF ENTITLEMENT

I enclose evidence of entitlement to adoption leave, in the form of a:

□ Matching Certificate; or

□ A document from the adoption agency or local authority which contains the:

- name and address of the agency/authority
- date on which the employee was notified as having been matched with the child
- date on which the agency expects to place the child with the employee.

SECTION 5 - ABOUT STATUTORY ADOPTION PAY (SAP)	
I have 26 weeks or more continuous service at time of placement/matching and am eligible for SAP.	□ Yes □ No

SECTION 7 - ABOUT OCCUPATIONAL ADOPTION PAY

I have more than one year's continuous service as at the placement date (or arrival in the UK for overseas adoptions)	☐ Yes ☐ No
I wish to receive 12 weeks half pay during my Adoption Leave and it is my intention to return to work following my adoption leave.	☐ Yes ☐ No
I understand that if I do not return to work for 3 months (Support Staff) or 13 weeks (Teaching Staff) I will be required to repay 12 weeks half pay (excluding the SAP).	☐ Yes ☐ No

☐ The information given is true to the best of my knowledge and belief.
☐ I have read the Family Leave Policy and Procedure.
☐ I agree to its terms and conditions.
☐ I will advise the Head teacher of any change in circumstances as they arise

Employee signature: **Date:**

BASL1 (SCH) BIRTH / ADOPTION SUPPORT LEAVE FORM

SECTION 1 - ABOUT YOU			
Name:		**ResID:**	
School:			

SECTION 2 – EXPECTED DATE OF CHILDBIRTH/PLACEMENT
My child is due to be born / will be placed on:

SECTION 3 - ELIGABILITY	
I have 26 weeks or more continuous service before the qualifying week/when the child is 'matched'	□ Yes □ No
I am the child's biological father and expect to have responsibility for the child's upbringing; OR I am the mother's / primary adopter's spouse, civil partner or partner (but not the child's biological father) and have or expects to have the main responsibility (apart from any responsibility of the mother or primary adopter) for the child's upbringing.	□ Yes □ No
I am taking time off to look after my child and/or partner	□ Yes □ No

I enclose:

□ MATB1 form; or

□ Matching Certificate; or

□ A document from the adoption agency or local authority which contains the:

- name and address of the agency/authority
- date on which the employee was notified as having been matched with the child
- date on which the agency expects to place the child with the employee.

SECTION 4 – BIRTH / ADOPTION SUPPORT LEAVE REQUEST	
I wish to take the 2 consecutive weeks commencing on	□ Specified date :**OR** as soon as my baby is born/placed
OR I wish to take two times 1 individual weeks commencing on	□ Specified date: and Specified date: □ As soon as my baby is born/placed and specified date:

□ The information given is true to the best of my knowledge and belief.

□ I have read the Family Leave Policy and Procedure.

□ I agree to its terms and conditions.

Employee signature: **Date:**

SPL1 (SCH) NOTICE OF ENTITLEMENT AND INTENTION TO TAKE SHARED PARENTAL LEAVE FORM

This form must be submitted to your manager at least 8 weeks before the start date of the first period of shared parental leave (SPL)

Section 1 Basic details

Employee name:		**Res ID**	
School:			
Relationship to child:	Birth parent ☐ Primary adopter ☐ Partner of birth parent/primary adopter ☐		
Child's expected date of birth / date of placement for adoption *OR* Child's actual date of birth / date of placement for adoption			
Start date of birth parent/primary adopter's maternity/adoption leave			
End date of birth parent/primary adopter's maternity / adoption leave			

Section 2 Employee notice of curtailment of maternity/adoption leave

To be completed by birth parent / primary adopter. If on maternity leave, this date must be at least 2 weeks after the birth or placement of your child. You must give at least 8 weeks' notice of your curtailment date.

Note: this notice is binding if it is submitted 6 weeks after the birth / date of placement.

I wish my maternity/adoption leave to end on:			
Employee signature:		Date:	

Section 3 Shared parental leave (SPL) details

Total number of weeks' SPL available to be shared *(52 weeks minus the number of weeks already taken by the birth parent/primary adopter according to the dates given in section 1)*	

A maximum of three period of leave are permitted, which will include any variations to a period of leave already booked.

A period of leave notice gives eight weeks' notice to the Company that you intend to take leave on the specified dates. The date that leave will start should be given unless the period of leave notice is given before the birth of a child, in which case the start date may be expressed as, for example, 'two weeks' after the birth, to last for 'four weeks'.

*This request will be binding unless you have made the request before the birth/placement of your child and/or you request to vary your request using **SPL 2**, giving at least 8 weeks' notice of the change. The total amount of SPL available to you is 50 weeks if the compulsory maternity leave period is two weeks.*

Section 4 Requests for Shared Parental Leave

Start date	End date	Who is taking the leave? Birth parent/primary adopter or partner or both?	Are you allocating SHPP to this period? If so, how many weeks?

Section 5 Employee declaration

I confirm that I meet the following conditions:

- I am the birth parent, father or primary adopter of the child, or the partner of the birth parent or primary adopter
- I have (or share with the other parent) the main responsibility for the care of the child and I am taking SPL in order to care for the child
- I have at least 26 weeks continuous service at the 15th week before the expected week of birth or at the week that the primary adopter was notified of having been matched for adoption with the child (the 'relevant week')
- I intend to be in continuous employment until the week before any SPL is taken
- (if I am claiming shared parental pay) I have averaged weekly earnings equal to or above the lower earnings limit over the 8 week period ending with the relevant week
- I agree to inform the organisation immediately if I cease to meet the conditions for entitlement to SPL or ShPP
- Have earned above the lower earnings limit in the eight weeks leading up to and including the 15th weeks before the week in which the baby is due to be born and is still employed by the same employer at the start of the first period of shared parental pay.

If you are the birth parent/primary adopter:

- I have submitted a curtailment of maternity/adoption leave notice by completing section 2 above

Employee signature:		Date:	

Section 6 Declaration of other parent

Name:		NI number:	
Address			

I confirm that I meet the following conditions:

- I have at least 26 weeks employment (employed or self-employed) out of the 66 weeks prior to the 15th week before the expected week of birth or at the week in which the primary adopter was notified of having been matched for adoption with the child (the 'relevant week')
- I have average weekly earnings of at least £30 during at least 13 of the 66 weeks prior to the relevant week
- I agree to inform your employee immediately if I cease to meet the 2 conditions above
- I consent to your employee taking SPP and ShPP as set out above
- Have earned above the lower earnings limit in the eight weeks leading up to and including the 15th weeks before the week in which the baby is due to be born /placed and is still employed by the same employer at the start of the first period of shared parental pay.

If you are the birth parent/primary adopter:

- I have submitted a curtailment of maternity/adoption leave and pay/maternity allowance or will have done so by the time your employee starts shared parental leave

I consent to you processing the information contained in this declaration

Other parent signature:		Date:	

SPL2 (SCH) NOTICE TO VARY A PERIOD OF SHARED PARENTAL LEAVE FORM

You must have previously submitted the notice of entitlement and intention to take shared parental leave form SPL1 and have had your entitlement to shared parental leave confirmed. ***You must give at least 8 weeks' notice to vary from of the start date of the leave.***

Employee name:		**ResID:**	
School:			

Original SPL dates

Start date	**End date**	**Who is taking the leave? Birth parent/primary adopter or partner or both?**	**Are you allocating SHPP to this period? If so, how many weeks?**	**Confirm if this period of leave is to <u>remain,</u> be <u>varied</u> or <u>cancelled</u>**

New request for shared parental leave (SPL)

Start date	**End date**	**Who is taking the leave? Birth parent/primary adopter or partner or both?**	**Are you allocating SHPP to this period? If so, how many weeks?**

Total number of weeks ShPL **you** have claimed/intend to claim	
Total Number of week's ShPL **the other parent** has claimed/intends to claim	
Total Combined ShPL (up to a maximum of 50)	

Declaration

We confirm that we agree to the request/variation(s) detailed above.

Employee signature:		Date:	
Other parent's signature:		Date:	

P1 (SCH) UNPAID PARENTAL LEAVE REQUEST FORM

SECTION 1 - ABOUT YOU			
Name:		**Workplace**	
Job Title:			

SECTION 2 - ABOUT THE CHILD	
Name of child for whom the parental leave request is made (if the child has been named):	
Child's date of birth (or date of placement if adopted):	
Age of child at start date of parental leave:	
Is the child disabled and entitled to Disability Living Allowance (DLA) / Personal Independence Payment (PiP)?	☐ Yes or ☐ No
What is your relationship to the child? ☐ Birth parent ☐ Foster carer ☐ Adoptive parent ☐ Guardian ☐ Step-parent	
Do/will you have parental responsibility for the child?	☐ Yes or ☐ No
What parental leave have you taken, in respect of the child, during your continuous employment here?	☐ None or ☐ Please state amount:
What parental leave have you taken, in respect of the child, during the 12 months preceding the start date of parental leave?	☐ None or ☐ Please state amount:
What parental leave have you taken, in respect of the child during previous employment?	☐ None or ☐ Please state amount:

Please provide evidence of your eligibility to parental leave by attaching a copy of child's full birth certificate, papers confirming adoption or proof of your child's entitlement to DLA/PiP.

SECTION 3 - ABOUT THE PARENTAL LEAVE	
Is the parental leave for the purpose of caring for the child?	☐ Yes or

	☐ No
Parental leave start date:	
Will the leave start at the end of maternity, birth or adoption support leave?	☐ Yes or ☐ No
Parental leave end date:	
Number of weeks parental leave requested:	

Employee Signature and Declarations:

☐ The information given is true and the best of my knowledge and belief

☐ I have read the parental leave policy and procedure and understand that the leave is unpaid.

☐ I agree to its terms and conditions.

Employee signature: **Date:**

Manager Signature and Declarations:

Date form received:

☐ I have considered this request in accordance with criteria set out in the Parental Leave Policy and Procedure.

☐ The request **accepted** *[send Parental Leave Template Letter P02(SCH) – Request Accepted]* or

☐ The request is **postponed** *[send Parental Leave Template Letter P03(SCH) – Request Postponed] or*

☐ The request **is not valid** *[send Parental Leave Template Letter P04(SCH) – Request Not Valid]*

Date met with employee and explained decision:

Head teacher Signature: **Date:**

Head teacher Name:

C1 (SCH) UNPAID CARER'S LEAVE REQUEST FORM

SECTION 1 - ABOUT YOU			
Name:		**Workplace**	
Job Title:			

SECTION 2 - ABOUT THE DEPENDENT	
Name of dependent for whom the carer's leave request is made:	
What is your relationship to the dependent? ☐ Spouse ☐ Parent ☐ Son/Daughter ☐ Other Person who reasonably requires your assistance for care (please state) ☐ Sibling ☐ Guardian ☐ Civil Partner	
Do/will you have caring responsibility for the dependent?	☐ Yes or ☐ No
What carer's leave have you taken, in the preceding 12 months up to the last day of leave requested in this and any previous employment?	☐ None or ☐ Please state amount:

SECTION 3 - ABOUT THE CARER'S LEAVE	
Is the carer's leave for the purpose of caring for the dependent?	☐ Yes or ☐ No (please state reason)
Carer's leave start date:	
Carer's leave end date:	
Number of days Carer's leave requested:	

Employee Signature and Declarations:

☐ The information given is true and the best of my knowledge and belief
☐ I have read the Carer's leave policy and procedure and understand that the leave is unpaid.
☐ I agree to its terms and conditions.

Employee signature: **Date:**

Manager Signature and Declarations:

Date form received:

☐ I have considered this request in accordance with criteria set out in the Carer's Leave Policy and Procedure.

☐ The request is **accepted** *[send Carer's Leave Template Letter C02(SCH) – Request Accepted]* or

☐ The request is **postponed** *[send Carer's Leave Template Letter C03(SCH) – Request Postponed] or*

☐ The request **is not valid** *[send Carer's Leave Template Letter C04(SCH) – Request Not Valid]*

Date met with employee and explained decision:

Head teacher Signature: **Date:**

Head teacher Name:

NC1 (SCH) NEONATAL CARE LEAVE FORM

SECTION 1 - ABOUT YOU			
Name:		**ResID:**	
School:			

SECTION 2 - ABOUT THE BABY In the case of multiple births (including twins and triplets), employees should provide this information for each baby			
Baby's name for whom the neonatal care leave request is made (if the baby has been named)			
Baby's date of birth			
Date of placement if adopted/entered Great Britain if adopted from overseas			
Date(s) the baby started to receive neonatal care			
Date(s) the baby stopped receiving neonatal care			

What is your relationship

- ☐ Birth Parent
- ☐ Adoptive Parent
- ☐ Mother's or Primary Adopter's partner
- ☐ Intended Paretn in receipt of a parental order or intend to apply within 6 months of birth (in cases of surrogacy)

SECTION 3 – NEONATAL CARE LEAVE	
Is the neonatal care leave for the purpose of caring for the baby?	☐ Yes ☐ No
Under which tier are you giving notice? (see neonatal care pay and leave guidance)	☐ Tier 1 ☐ Tier 2
Neonatal care leave start date	
Number of weeks neonatal care leave requested	
Number of days neonatal care leave requested if applying under Tier 1	
Will the leave be taken around other family leave options? If yes please provide details of family leave and dates being taken.	☐ Yes ☐ No

☐ The information given is true to the best of my knowledge and belief.
☐ I have read the Family Leave Policy and Procedure and meet the neonatal care leave eligibility criteria
☐ I agree to its terms and conditions.
☐ I confirm I am taking leave to care for the baby.
☐ I will advise the Head teacher of any change in circumstances as they arise

Employee signature: **Date:**

Manager Signature and Declarations:

Date form received:

☐ I have considered this request in accordance with criteria set out in the Neonatal Care Leave section of the Family Leave Policy and Procedure.
☐ The request is **accepted**
☐ The request is **postponed** because (summarise reasons)

☐ The request **is not valid** because (summarise reasons)

Date met with employee and explained decision:

Head teacher Signature: **Date:**
Head teacher Name: