



## Paternity and Maternity Policy

***The legal framework and documents referenced in this policy are:***

*The Maternity and Parental Leave etc. Regulations 1999*

*The Shared Parental Leave Regulations 2014*

### **Introduction**

This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth, and sets out the arrangements for ante-natal care, pregnancy-related sickness, health and safety, and maternity leave. It does not apply to agency workers or the self-employed.

The second part of this policy outlines employees' entitlement to paternity leave and sets out the arrangements for taking it.

This policy also outlines Shared parental leave (SPL). This aims to give you and your partner more flexibility in how to share the care of your child in the first year after birth than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you, and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

No-one will be discriminated against or subjected to a detriment for taking leave in accordance with this policy.

### **Definitions**

The definitions in this paragraph apply in this policy.

**Expected Week of Childbirth:** the week, starting on a Sunday, in which your doctor or midwife expects you to give birth.

**Qualifying Week:** the fifteenth week before the Expected Week of Childbirth.



Partner: someone (whether of a different sex or the same sex) with whom you live in an enduring family relationship, but who is not your parent, grandparent, sister, brother, aunt or uncle.

Expected Placement Date: the date on which an adoption agency expects that it will place a child into your care with a view to adoption.

## **Notification**

You must inform us as soon as possible that you are pregnant.

Before the end of the Qualifying Week, or as soon as reasonably practical afterwards, you must tell us:

- (a) that you are pregnant;
- (b) the Expected Week of Childbirth; and
- (c) the date on which you would like to start your maternity leave (Intended Start Date)

You must provide a certificate from a doctor or midwife (usually on a MAT B1 form) confirming your Expected Week of Childbirth.

## **Time off for Ante-natal Care**

If you are pregnant you may take reasonable paid time off during working hours for ante-natal care, although, whenever it is possible to do so, you should arrange your appointments within the term breaks or before the start or after the end of your working day. You should try to give us as much notice as possible of the appointment.

We may ask you to provide the following, unless it is the first appointment:

- (a) a certificate from the doctor, midwife or health visitor stating that you are pregnant;  
and
- (b) an appointment card.



## **Sickness**

Periods of pregnancy-related sickness absence shall be paid in accordance with the statutory sick pay scheme. Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions.

If you are absent for a pregnancy-related reason during the four weeks before your Expected Week of Childbirth, your maternity leave will usually start automatically.

## **Health and Safety**

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

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

- (a) changing your working conditions or hours of work;
- (b) offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable; or
- (c) suspending you from duties, which will be on full pay unless you have unreasonably refused suitable alternative work.

## **Entitlement to maternity leave**

All employees are entitled to up to 52 weeks' maternity leave which is divided into:

- (a) Ordinary maternity leave of 26 weeks (OML).



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

### **Starting Maternity Leave**

The earliest date you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).

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

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

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

Maternity leave shall start on the earlier of:

- (a) your Intended Start Date (if notified to us in accordance with this policy); or
- (b) the day after any day on which you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth; or
- (c) the day after you give birth.

If you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth, you must let us know as soon as possible in writing. Maternity leave will be triggered unless we agree to delay it.

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

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



Shortly before your maternity leave starts we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave.

### **Statutory maternity pay**

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

- (a) you have been continuously employed for at least 26 weeks at the end of the Qualifying Week and are still employed by us during that week;
- (b) your average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the Government;
- (c) you provide us with a doctor's or midwife's certificate (MAT B1 form) stating your Expected Week of Childbirth;
- (d) you give at least 28 days' notice (or, if that is not possible, as much notice as you can) of your intention to take maternity leave; and
- (e) you are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.

SMP is calculated as follows:

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

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

You shall still be eligible for SMP if you leave employment for any reason after the start of the Qualifying Week (for example, if you resign or are made redundant). In such cases, if



your maternity leave has not already begun, SMP shall start to accrue in whichever is the later of:

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

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

### **Terms and conditions during OML and AML**

All the terms and conditions of your employment remain in force during OML and AML, except salary which will be paid as set out above.

### **Annual leave**

During OML and AML, annual leave will accrue at the rate provided under your contract.

If the holiday year is due to end during your maternity leave, you should ensure that you have taken the full year's entitlement before starting your maternity leave.

### **Redundancies during Maternity Leave**

If your post is affected by a redundancy situation occurring during your maternity leave, we shall write to inform you of any proposals and shall invite you to a meeting before any final decision is reached as to your continued employment.

### **Keeping in Touch**

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



You may work (including attending training) for up to ten days during maternity leave without bringing your maternity leave or SMP to an end. You are not obliged to undertake any such work during maternity leave. In any case, you must not work in the two weeks following birth.

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

- (a) updating you on any changes that have occurred during your absence;
- (b) any training needs you might have; and
- (c) any changes to working arrangements

### **Expected return date**

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

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

### **Returning Early**

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

If not enough notice is given, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

### **Returning late**



If you wish to return later than the Expected Return Date, you should request unpaid parental leave in accordance with our Parental Leave Policy, giving us as much notice as possible but not less than 21 days; or

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

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

### **Deciding not to return**

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

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

This does not affect your right to receive SMP.

### **Your rights when you return**

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

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

### **Returning to work part-time**



We will deal with any requests by employees to change their working patterns (such as working part-time) after maternity leave on a case-by-case basis. There is no absolute right to insist on working part-time, but you do have a statutory right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the School.

## **Entitlement to paternity leave**

Certain employees can take paternity leave in relation to the birth or adoption of a child. However, in adoption cases paternity leave is not available to an employee who decides to take adoption leave.

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

- (a) You have been continuously employed by us for at least 26 weeks ending with:
  - (i) in birth cases, the week immediately before the 14th week before the Expected Week of Childbirth.
  - (ii) in adoption cases, the week in which you or your Partner are notified by an adoption agency that you/they have been matched with a child.
- (b) You:
  - (i) are the biological father of the child;
  - (ii) have been matched with a child by an adoption agency;
  - (iii) are the spouse, civil partner or Partner of the child's mother; or
  - (iv) are the spouse, civil partner or Partner of someone who has been matched with a child by an adoption agency.
- (c) You:
  - (i) expect to have main responsibility (with the child's mother, co-adopter or adopter) for the child's upbringing; or



(ii) are the child's biological father and you expect to have some responsibility for the child's upbringing.

(d) Your intended leave is for the purpose of caring for the child, or supporting the child's mother, adopter or co-adopter in caring for the child.

**You are entitled to additional paternity leave (APL) if, in addition to the conditions above:**

(a) your child's Expected Week of Childbirth or placement for adoption was before 5 April 2015;

(b) you remain employed by us until the week before the first week of your APL;

(c) the child's mother or co-adopter, as the case may be, has been entitled to maternity or adoption leave, statutory maternity or adoption pay or maternity allowance in respect of her pregnancy or adoption; and

(d) the child's mother or co-adopter, as the case may be, has returned to work.

If your child's Expected Week of Childbirth is on or after 5 April 2015, or your child is placed with you for adoption on or after that date, you may be entitled to SPL. Please refer to our Shared Parental Leave Policy.

### **Timing and length of paternity leave**

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

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

(a) In birth cases, within 56 days of the child's birth, or if the child is born before the first day of the Expected Week of Childbirth, within 56 days of the first day of the Expected Week of Childbirth.

(b) In adoption cases, within 56 days of the child's placement.



APL must be taken as multiples of complete weeks and as one period. The minimum amount of APL that can be taken is two weeks and the maximum is 26 weeks.

APL must be taken in the period beginning 20 weeks after the child's date of birth, or adoption placement, and ending 12 months after that date of birth or adoption.

### **Notification (birth)**

If you wish to take OPL in relation to a child's birth, you must give us notice in writing of your intention to do so and confirm:

- (a) The Expected Week of Childbirth;
- (b) Whether you intend to take one week's leave or two consecutive weeks' leave; and
- (c) When you would like to start your leave. You can state that your leave will start on:
  - (i) the day of the child's birth;
  - (ii) a day which is a specified number of days after the child's birth; or
  - (iii) a specific date later than the first date of the Expected Week of Childbirth.

You must give notice before the 14th week prior to the Expected Week of Childbirth (or, if this is not possible, as soon as you can).

We may require a signed declaration from you that you are taking OPL for a purpose for which it is intended; namely, to care for the child or to support the child's mother in caring for the child.

If you wish to take APL in relation to a child's birth, you must provide us with the following at least eight weeks before the date on which you would like to start your leave:

- (a) A written "leave notice" stating:
  - (i) the Expected Week of Childbirth;
  - (ii) the child's date of birth; and



- (iii) the dates on which you would like your APL to start and finish.
  
- (b) A signed "employee declaration" confirming that:
  - (i) you are either the child's father or that you are the spouse, Partner or civil partner of the child's mother;
  
  - (ii) apart from the child's mother, you have or expect to have the main responsibility for the upbringing of the child; and
  
  - (iii) you wish to take APL in order to care for the child.
  
- (c) A written "mother declaration" from the child's mother stating:
  - (i) her name, address and National Insurance number;
  
  - (ii) the date she intends to return to work;
  
  - (iii) your relationship with the child;
  
  - (iv) that, to her knowledge, you are the only person exercising an entitlement to APL in respect of the child; and
  
  - (v) that she consents to us processing the information she has provided.

We will write to you to confirm the start and finish dates of your APL within 28 days of receiving your leave notice, your employee declaration and the child's mother's declaration.

We may require you to provide a copy of the child's birth certificate and the name and address of the mother's employer or, if she is self-employed, her business address.

In adoption cases, we may require you to provide the name and address of the co-adopter's employer or, if they are self-employed, their business address. We may also require documentary evidence such as a matching certificate issued by the adoption agency confirming the agency's name and address, the date you were notified of the match, and the Expected Placement Date.

### **Statutory Paternity Pay**



In this paragraph, Relevant Period means:

- (a) In birth cases, the eight-week period ending immediately before the 14th week before the Expected Week of Childbirth.
- (b) In adoption cases, the eight-week period ending immediately before the week in which you or your spouse, civil partner or Partner were notified of being matched with the child.

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

If you take APL in accordance with this policy, you may be entitled to additional statutory paternity pay (ASPP). Whether and, if so, for how long you may be entitled to ASPP will depend on:

- (a) Your average weekly earnings being not less than the lower earnings limit set by the government during the Relevant Period; and
- (b) The child's mother or your co-adopter, as the case may be, having returned to work with at least two weeks of their maternity allowance, maternity pay or adoption pay period remaining. Your entitlement to ASPP will equate to the number of weeks of unexpired maternity allowance, maternity pay or adoption pay that remained when the child's mother or your co-adopter returned to work.

OSPP and ASPP are paid at a prescribed rate which is set by the government for the relevant tax year, or at 90% of your average weekly earnings calculated over the Relevant Period if this is lower.

### **Terms and conditions during OPL and APL**

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

### **Annual leave**



During OPL and APL, annual leave will accrue at the rate provided under your contract.

### **Redundancies during APL**

In the event that your post is affected by a redundancy situation occurring during paternity leave, we shall write to inform you of any proposals and shall invite you to a meeting before any final decision is reached as to your continued employment.

### **Keeping in touch during APL**

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

You may work (including attending training) for up to ten days during APL without bringing your paternity leave or your ASPP to an end. You are not obliged to undertake any such work during paternity leave.

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

- (a) Updating you on any changes that have occurred during your absence;
- (b) Any training needs you might have; and
- (c) Any changes to working arrangements (for example, that you may have requested come into effect on your return).

### **Returning to Work**

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



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

- (a) additional maternity leave;
- (b) additional adoption leave; or
- (c) parental leave of more than four weeks,

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

If you wish to return early from APL, you must give us at least six weeks' prior notice.

If you wish to postpone your return from APL, you should either:

- (a) Request unpaid parental leave in accordance with our Parental Leave Policy, giving us as much notice as possible but not less than 21 days; or
- (b) Request paid annual leave in accordance with your contract, which will be at our discretion.

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

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

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

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



## **Entitlement to Shared Parental Leave (SPL)**

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

- (a) you are the child's mother, and share the main responsibility for the care of the child with the child's father or with your partner;
- (b) you are the child's father and share the main responsibility for the care of the child with the child's mother; or
- (c) you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).
- (d) Please note that this is only available if your child was born on or after 5 April 2015.

The following conditions must also be fulfilled:

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

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

If you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth [or four weeks for factory workers].



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

### **Opting in to shared parental leave and pay**

Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice giving:

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



(i) declarations by you and the other parent that you both meet the statutory conditions to enable you to take SPL and ShPP.

## **Ending your maternity leave**

If you are the child's mother and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your maternity leave (a curtailment notice) before you can take SPL. The notice must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme or a written declaration that the other parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

The other parent may be eligible to take SPL from their employer before your maternity leave ends, provided you have given the curtailment notice.

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

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

Once you have revoked a curtailment notice you will be unable to opt back into the SPL scheme.

## **Ending your partner's maternity leave or pay**



If you are not the mother, but the mother is still on maternity leave or claiming SMP or MA, you will only be able to take SPL once she has either:

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

### **Evidence of entitlement**

You must also provide on request:

- (a) A copy of the birth certificate (or if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
- (b) The name and address of the other parent's employer (or a declaration that they have no employer).]

### **Booking your SPL dates**

Having opted into the SPL system, you must book your leave by giving us a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.

The period of leave notice can either give the dates you want to take leave or, if the child has not been born yet, it can state the number of days after birth that you want the leave to start



and end. This may be particularly useful if you intend to take paternity leave starting on the date of birth and wish to take SPL straight afterwards.

Leave must be taken in blocks of at least one week.

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

If your period of leave notice requests split periods of SPL, with periods of work in between, we will consider your request as set out below.

You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice).

### **Procedure for requesting split periods of SPL**

In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your manager and Headteacher in good time before formally submitting your period of leave notice. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

- (a) choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or



(b) withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case the notice will not be counted and you may submit a new one if you choose).

### **Changing the dates or cancelling your SPL**

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

You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date or the new start date, whichever is earlier.

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

You can combine discontinuous periods of leave into a single continuous period of leave. Since this will involve a change to the start date or end date of a period of leave, see paragraphs above which set out how much notice is required.

You can request that a continuous period of leave be split into two or more discontinuous periods of leave, with periods of work in between. Since this will involve a change to the start date or end date, see paragraphs above which set out how much notice is required for the request. We do not have to grant your request but will consider it, subject to business needs.

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

- (a) it is a result of your child being born earlier or later than the EWC;
- (b) you are cancelling a request for discontinuous leave within two days of the end of the two-week discussion period;
- (c) it is at our request; or
- (d) we agree otherwise.



## **Premature birth**

Where the child is born early (before the beginning of the EWC), you may be able to start SPL in the eight weeks following birth even though you cannot give eight weeks notice. The following rules apply:

- (a) If you have given a period of leave notice to start SPL on a set date in the eight weeks following the EWC, but your child is born early, you can move the SPL start date forward by the same number of days, provided you notify us in writing of the change as soon as you can. (If your period of leave notice already contained a start date which was a set number of days after birth, rather than a set date, then no notice of change is necessary.)
- (b) If your child is born more than eight weeks early and you want to take SPL in the eight weeks following birth, please submit your opt-in notice and your period of leave notice as soon as you can.

## **Shared parental pay**

You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SMP or MA claimed by you or your partner) if you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid by employers at a rate set by the government each year.

You should tell us in your period of leave notice(s) whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

## **Other terms during shared parental leave**

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



Annual leave entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

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

This policy was adopted at a meeting at Alamiyah School

Held on:.....

Signed on behalf of the Alamiyah School: .....

Date of Next Review: July 2019