



GMAT POLICIES

Family Policy

Greater Manchester Academies Trust

Revision Information

This document has been approved for operation within	All Trust Establishments
Date of last review	September 2025
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Review Period	Every three years, or where there have been material changes to the relevant courses of business.
Status	Approved
Person Responsible for Policy	Chief Finance Officer
Owner	Greater Manchester Academies Trust
Signature of Approval	

With you...for you...about you...

Equality, Diversity & Inclusion

Equality Statement - Under the Public Sector Equality Duty (PSED), arising from the Equality Act 2010, all schools and academies within Greater Manchester Academies Trust have **due regard** to the need to:

- **Eliminate** discrimination, harassment, victimisation, and any other conduct prohibited by the Equality Act 2010.
- **Advance** equality of opportunity between people who share a relevant protected characteristic and those who do not.
- **Foster** good relations between people who share a protected characteristic and those who do not.

This duty applies to all aspects of policy development, decision-making, and practice. Schools and academies within the Trust will actively consider equality implications when policies are created, reviewed, and implemented, and will record how due regard has been demonstrated in significant decisions.

The Trust will:

- **Publish information annually** to demonstrate compliance with the PSED.
- **Set and publish equality objectives at least every four years**, which are specific, measurable, and regularly reviewed.
- Ensure that policies on areas such as admissions, curriculum, behaviour, staffing, facilities (including single-sex facilities), and governance comply with the Equality Act 2010 and the latest statutory and regulatory guidance.
- Review all policies and procedures regularly to ensure continued compliance with education and employment legislation, and to reflect developments in case law and Equality and Human Rights Commission (EHRC) guidance.
- Promote an inclusive culture where diversity is valued, equality is actively advanced, and all members of our school communities feel respected and able to achieve their potential

The Trust has an equality and Diversity Policy which is monitored and reviewed annually as a minimum.

The Family Policy does not and must not contradict the contents of the Equality and Diversity Policy.

Retention and Data Protection

When managing an individual's personal information under this policy, the Trust processes personal data collected in accordance with Data Protection Legislation. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of managing recruitment activities.

We will comply with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018).

All written records of interviews, application forms and reasons for appointment or non appointment will be kept by the Trust in line with our Recruitment Privacy Notice, our Workforce Privacy Notice (for appointed candidates), our Retention and Destruction Policy and in line with the requirements of Data Protection Legislation.

Introduction

This is the Family Policy of Greater Manchester Academies Trust referred to throughout this Policy as the 'Trust'. The Trust comprises of Manchester Communication Academy (MCA), Manchester Communication Primary Academy (MCPA) and GMAT Shared Services. This Policy covers all institutes forming part of the Trust.

The Trust is committed to supporting employees in understanding the choices available to them when planning for the birth or adoption of a child. The Trust will not only be mindful of its legal responsibilities but will also recognise its duty of care to all members of staff.

Scope and Definitions

Greater Manchester Academies Trust is supportive of working parents and carers. Managers are expected to treat employees as individuals, using this Family Friendly Policy Framework together with our flexible working offer to support an effective work/life balance for employees with responsibilities outside of work.

This document sets out the Trust policy on employees' entitlement to maternity, adoption, paternity and shared parental leave and gives employees direction and procedural guidance which is relevant to their period of leave. This includes parents expecting a child either by birth or adoption, and foster carers.

GMAT is committed to attracting and retaining high quality employees, which will in part be achieved through Our Ways of Working, meaning we should work smarter through better flexible working options wherever possible. Flexible working helps to reduce absence rates, improve productivity, and reduce the amount of stress or pressure felt by employees. As such, it is an essential part of the Trust's ambition to develop a world class workforce.

The policy includes the statutory rights and responsibilities of employees who are adopting a child, are pregnant or have recently given birth and gives details of the arrangements for pre- placement or antenatal appointments, pregnancy related illness and pay.

This procedure is published as part of the Trust's HR policies and is designed to uphold and safeguard the high standards maintained by employees of the Trust.

The purpose of this policy is to promote a fair, reasonable, non-discriminatory and consistent approach to the management of maternity, adoption, paternity and shared parental leave throughout the Trust and recognizes that there are occasions where discretion and flexibility need to be exercised.

This policy framework reflects the Trust's commitment to equality in the workplace. No one will be discriminated against, be subject to detriment, or lose career development opportunities by taking leave under this policy.

This policy framework sets out eligibility criteria for:

- Maternity Leave
- Maternity Support Leave (and occupational Paternity Leave)
- Adoption Leave
- Shared Parental Leave
- Neonatal Care Leave

These are collectively referred to as family friendly leave.

This document incorporates the requirements of the following legislation:

- The Paternity Leave (Amendment) Regulations 2024
- The Shared Parental Leave Regulations 2014
- The Shared Parental Pay (General) Regulations 2014
- The Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations 2014
- Employment Rights Act 1996
- Child and Families Act 2014

- Equality Act 2010
- The Neonatal Care (Leave and Pay) Act 2023
- The Neonatal Care Leave and Miscellaneous Amendments Regulations 2025
- The Statutory Neonatal Care Pay (General) Regulations 2025

As part of the application of this policy, the Trust will collect, process and store data in accordance with our Data Protection Policy.

The Trust recognises that, from time to time, employees may have questions or concerns relating to their adoption or maternity rights. It is the Trust's policy to encourage open discussion with employees to ensure that questions or problems can be resolved as quickly as possible.

Definitions

The following definitions are used in this policy:

- **Expected week of childbirth (EWC)** – the week, starting on a Sunday, during which the employee's doctor or midwife expects them to give birth
- **Qualifying week** – the 15th week before the expected week of childbirth

Maternity Leave

Notification of Pregnancy

On becoming pregnant, an employee should notify their line manager and HR Manager as soon as possible to ensure that any health and safety implications within their working environment can be considered.

The employee will receive a Maternity Leave confirmation letter from the Trust within 28 days of receipt of the initial notification. The letter will confirm the start and end dates of the maternity leave (if the full entitlement is taken). These dates will be included even in the instance where the member of staff has proposed an earlier return date. The letter will also include details of their maternity pay entitlements and other relevant information.

Maternity Leave Entitlements

All pregnant employees are entitled to a period of 26 weeks' ordinary maternity leave (OML) and 26 weeks' additional maternity leave (AML), making one year in total. This entitlement is regardless of the length of continuous service.

Pregnant employees can start maternity leave any time from the 11th week before the baby is due, provided they give at least 28 days' notice in writing (wherever reasonably practicable):

- that they are pregnant
- of the expected week of childbirth (EWC)
- of the start date of maternity leave (which can be varied by the employee, provided that the new date is notified at least 28 days before whichever is the earlier of the old intended date and the new intended date)

The employee will be required to produce a certificate from a registered medical practitioner or a registered midwife stating the EWC. This certificate is known as a MAT B1 and is available from the 20th week before the EWC.

The earliest an employee can start their maternity leave is the 11th week before the EWC. The employee can work up to the birth if they wish in which case the maternity pay period will start from the day after the birth. This is unless they are absent from work with a pregnancy related illness in which case they cannot work beyond the fourth week before the expected week of childbirth.

The Maternity (Compulsory Leave) Regulations 1994 stipulate a minimum period of maternity leave for all women of two weeks after the date of the birth. This means that the employee cannot return to work until at least two weeks after the actual date of the birth.

During the period of both OML and AML, the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary. Contractual annual leave entitlement will continue to accrue.

Returning to Work

Following maternity leave an employee is entitled to return to the job in which they were employed under their original contract of employment and on terms no less favourable than those that would have been applicable to them had they not been absent. "Job" for this purpose means the nature of the work, which they are employed to do and the capacity and place in which they are so employed. Special conditions apply if redundancy or re-organisation has taken place during their leave.

It is expected that the employee will have returned to work by the date specified in the Maternity Leave confirmation letter referred to in paragraph 5.2.

If the employee wishes to return earlier than the expected return date, they must give the Trust at least 21 days' notice.

Where the employee fails to give the correct notice, the Trust may postpone the employee's return to work until the 21 days have elapsed, or until the end of the maternity leave entitlement, whichever is shorter.

Employees are not required to state in advance that they intend to return to work following maternity leave unless they are claiming Occupational Maternity Pay (see section 7).

Statutory Maternity Pay

Statutory Maternity Pay (SMP) is treated as pay and is subject to the usual deductions for NI, Income Tax and the Local Government Pension Scheme and/or Teacher Pensions. SMP is payable for a period of up to 39 weeks or when the employee returns to work, whichever is earlier. This is known as the Maternity Pay Period (MPP). This is paid even if the employee does not intend to return to work after the baby is born.

SMP is paid at 90% of the employee's average weekly earnings for 6 weeks followed by a lower rate for 33 weeks. In the event that the lower rate of SMP is greater than 90% of average earnings, the lower amount will be paid throughout the MPP.

An employee's average weekly earnings must be calculated in order to decide if SMP is payable. This will normally be undertaken by the Finance Team. This involves adding the gross earnings together over the eight weeks up to and including the last pay day before the end of the qualifying week. Any payment, which is treated as earnings for NI contribution purposes, e.g.

Statutory Sick Pay, must be counted. This will also include for example acting up payments made during the eight week period.

To be eligible for SMP an employee must satisfy all of the following criteria:

- Have been continuously employed by the Trust for at least 26 weeks* continuing into the Qualifying Week (15th week before the expected week of childbirth). This must include at least one day in the qualifying week
- Have average weekly earnings of not less than the lower earnings limit (LEL) for the payment of NI contributions
- Is still pregnant at the 11th week before the EWC or have given birth by that time
- Has ceased working for the employer wholly or partly because of pregnancy or childbirth
- Has given notice of the date their MPP is due to start at least 28 days beforehand

* An employee can satisfy the continuous employment rule even if they been employed only for short spells during the 26 week period. If a temporary or casual employee does not work any particular week because they were not offered work, as opposed to turning down the offer of work, continuity of service is not broken (for the purposes of SMP only).

If an employee who is entitled to SMP leaves or is dismissed after the start of the qualifying period, SMP will still be paid. If the employment ends before they have given notice of when they would like their maternity leave to start, SMP will commence on the later of:

- The 11th week before the EWC
- The start of the week after the employment ends

If the employee starts work for a new employer after the baby is born but before the end of the MPP the SMP must end. However, if they start work for a new employer before the baby is born, by law the Trust is still liable to pay SMP until the end of the Maternity Pay Period.

If the employee does not agree with the decision not to pay SMP they can ask the Adjudication Officer for a formal decision. The Adjudication Officer is independent and works from a local Department of Work and Pensions. There is also a right of appeal for both the employer and employee against the decision of the Adjudication Officer.

Maternity Allowance

If for any reason an employee is not entitled to SMP, the Finance Team at the Trust will have their Payroll Provider Service complete form SMP1 and give it to the employee. This must be done within seven days of deciding the employee is not entitled to SMP so that they may then claim the Maternity Allowance (MA) direct from the Department of Work and Pensions.

Maternity Allowance (MA) is claimed direct from the Department of Work and Pensions by an employee who is not eligible for SMP. MA can be paid for up to 39 weeks and is normally equivalent to the rate for SMP although this can vary dependent upon the contributions made by the employee.

MA is a National Insurance (NI) benefit, therefore employees must have paid NI for at least 26 weeks out of the last 66 weeks. Further information on the benefits available is available at: www.gov.uk/maternity-pay-leave/extra-help

Occupational Maternity Pay

In order to support staff who wish to start or extend their family, the Trust offers a more generous provision of Occupational Maternity Pay (OMP) to eligible employees.

Eligibility for OMP will be assessed at the 11th week before the EWC (not the 15th week which is when eligibility for SMP is assessed)

Eligibility for OMP is not based on the employee's level of earnings or hours of work. All employees with 1 year's continuous service with the Trust at the 11th week before the EWC are entitled to OMP.

OMP is paid at the following rate over the first 6 weeks of maternity leave :

- First 4 weeks – full pay
- Following 2 weeks – 90% of usual weekly salary

These payments are offset against SMP or Maternity Allowance payments.

An employee who has provided written confirmation of their intention to return to work will then receive half pay for the following 12 weeks along with their SMP or MA entitlement.

For the remaining 21 weeks the employee will be entitled to SMP only – this totals 39 weeks of maternity pay.

In the instance that the employee's half pay and SMP or MA entitlement results in their usual pay being exceeded, their OMP will be adjusted to ensure they receive no more than their usual pay.

The 12 weeks' half pay can be claimed back if the employee does not return to work at the Trust for a period of at least 13 weeks after their maternity leave. The SMP is not refundable.

For employees not intending to return to work following their period of maternity leave, payments during the subsequent 33 weeks shall be SMP.

The earliest that OMP can commence is the 11th week before the EWC.

The Trust defines the term 'a week's pay' for employees whose remuneration for normal working hours does not vary with the amount of work done in the period, as the amount payable by the Trust to the employee under the current contract of employment for working their normal hours in a week. (It would be unusual but where there was no normal working hours, a week's pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, i.e. before the commencement of OMP. This period will exclude any week in which no remuneration was earned).

Summary of Maternity Pay Entitlements at GMAT

Criteria		Maternity Pay
Continuous Service	Earnings	
0 – 26 weeks at 15th week before EWC	Any	No SMP or OMP
26 weeks – 1 year at 15th week before EWC	Below LEL	No SMP or OMP
26 weeks – 1 year at 15th week before EWC	Above LEL	SMP (6 weeks at 90% of earnings followed by 33 weeks at SMP rate)
1 year or more at 11th week before EWC	Below LEL	No SMP OMP (4 weeks of full pay followed by 2 weeks at 90% of earnings followed by 12 weeks at 50 % of earnings)
1 year or more at 11th week before EWC	Above LEL	SMP + OMP
		(4 weeks of full pay followed by 2 weeks at 90% of earnings, then 12 weeks at 50% of earnings plus SMP, then 21 weeks of SMP)

Early Births

If the employee's baby is born before the maternity pay period is due to start, the MPP will be the period of 39 weeks beginning from the day following the date of birth.

If this happens before the employee has notified you of the start date of their MPP, they must, if reasonably practicable, notify you within 28 days of the date the baby was born.

The continuous employment rule for qualifying for payment of SMP is satisfied if the baby is born before or during the qualifying week AND the employee would have completed 26 weeks' employment into the qualifying week if the baby had not been born early.

If the baby is born early but the MPP has started, or is born after the EWC then the maternity pay period is not affected.

If a baby is stillborn before the 24th week of the pregnancy, i.e. earlier than the 16th week before the expected week of childbirth, SMP is not payable. In such circumstances a decision should be made regarding the payment of sick pay instead. If the baby is stillborn after the 24th week of pregnancy, the employee is entitled to the same SMP they would have had if the baby had been born alive.

Pregnancy Related Sickness

Employees who are unwell prior to the fourth week before the EWC will receive Statutory Sick Pay (SSP) and Occupational Sick Pay (OSP) subject to eligibility.

Employees who are absent due to sickness after the fourth week before the EWC can only be entitled to SSP if the sickness is non-pregnancy related. In such circumstances the maternity pay period will start as notified or from the day following the date of birth, whichever is the earlier.

If the sickness is pregnancy related and occurs on or after the start of the fourth week before the EWC, the MPP will start on either:

- The day following the first day of that absence if the employee has worked or been entitled to SSP for a reason not connected with their pregnancy, in that week, or
- The Sunday of the first week of absence if the employee has not worked in the week or been entitled to SSP in that week e.g. temporary/casual employee.

If the employee then becomes fit enough to return to work before the birth, they can do so and will then lose one week's SMP for each week or part-week worked. Weeks lost in this way are at the lower rate first.

Confirmation on whether an illness is pregnancy related may be sought by the employee's GP or from an Occupational Health provider.

An employee who is entitled to SMP or MA cannot get SSP for at least 39 weeks starting with the start of the week they are first entitled to SMP or MA.

The Trust will maintain records of pregnant employees' sickness in line with other employees. However no action will be taken under the sickness monitoring procedures in respect of any pregnancy related illness during pregnancy.

Dismissal or resignation

If an employee who is entitled to SMP resigns or is dismissed after the start of the QW, payment of SMP (not OMP) will still have to be paid to her. Payment will begin in accordance with the date she has notified that she intends to commence maternity leave, or if employment ends before she has notified a date, from the later of:

- the 11th week before the expected week of childbirth;
- the first complete week starting on a Sunday after the employment ends.

If an employee indicates that she does not wish to return to work following maternity leave, she must give formal notice of her resignation or written confirmation that her employment will terminate by mutual agreement on a specified date.

Premature Births

If an employee gives birth prematurely to a living child, even in cases where the baby later dies, she will be entitled to SML, SMP, OMP or MA in the usual way.

If the child is born before the due date, then the maternity leave period automatically starts on the day after birth. This applies even if the birth is earlier than 11 weeks before the expected week of childbirth, whether or not the employee has given notification of the expected week of childbirth.

The employee must provide the child's birth certificate or a document signed by a doctor or midwife that confirms the actual date of birth as soon as is reasonably possible.

Miscarriages

If a miscarriage occurs earlier than the 24th week of her pregnancy, an employee will not qualify for any SML, SMP, OMP or MA. If she takes a period of sickness absence from work, she will be paid sick pay in the usual way.

Stillbirths

If an employee has a stillbirth from the 24th week of pregnancy onwards, she will be eligible for SML, SMP, OMP or MA in the usual way. Managers are expected to behave sympathetically, and reference counselling provision where appropriate.

For a stillbirth after 24 weeks of pregnancy, a bereaved parent is entitled to two weeks of paid Special Leave.

Adoption Leave

Notification

A member of staff should inform their line manager and the HR Manager that they are going through the process to adopt a child at the earliest opportunity and at least within 7 days of being told that they have been matched with a child.

Ideally the notification date should be at least 28 days before the 'placement date', if practical. If this is not practical the leave will start on the date the child is placed.

The employee is required to produce the Matching Certificate which is issued by the local authority or adoption agency and must inform both their line manager and the HR Manager of the following:

- The expected date of the child's placement
- When they would like the Adoptive Parent leave to begin

The employee will receive an Adoptive Parent Leave confirmation letter from the Trust within 28 days of receipt of their initial notification. The letter will confirm the start and end dates of the Adoptive Parent leave (if the full entitlement is taken). These dates will be included even in the instance where the member of staff has proposed an earlier return date. The letter will also include details of their Adoptive Parent Leave pay entitlements and other relevant information.

The start of the leave can be varied following notification to the employer. This should be at least 28 days before the date of the new start date wanted. If this is not possible managers will have to exercise appropriate discretion. If the employee does vary their start date a revised letter from the Trust must be issued within 28 days.

Eligibility

There is only one period of leave per adoption regardless of the number of children placed. Throughout the document where we refer to the child this therefore equally means the children, if more than one child is being adopted.

Where a couple are jointly adopting a child, they must decide which one of them will take adoption leave as the "primary adopter" (the main carer) and which one will take paternity leave and shared parental leave (subject to eligibility).

Employees are eligible to take Adoptive Parent Leave regardless of when they started working with the Trust assuming the role of 'main carer' or 'primary adopter'.

If the employee is not the main carer, they will be eligible for Paternity/Partner Leave (see section 14)

An employee who is adopting a blood relative may be eligible to take Adoption Leave, if they are formally adopting the child/children through an approved agency and have supporting documentation that satisfies Inland Revenue's criteria.

Adoptive Parent Leave may also extend to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for and intend to apply for a Parental Order for the child born through that arrangement.

An employee is not eligible to take adoption leave if they are a step-parent adopting a partner's child, or adopting through an agency that is not recognised in the United Kingdom (i.e. a private adoption).

Adoption Meetings and Appointments

The primary adopter will be able to take paid time off for up to five adoption appointments. The secondary adopter (their spouse or partner) will be entitled to take unpaid time off for up to two appointments.

The adoption leave cannot be used to attend training sessions or court in relation to the adoption. For these instances the employee should make a request for time off to the Principal.

Leave Entitlements

Qualifying employees are entitled to a maximum of 52 weeks of leave in total. They may take any portion of the 52 weeks. This is broken down as follows:

- 26 weeks of Ordinary Adoptive Parent Leave (OAL)
- 26 weeks of Additional Adoptive Parent Leave (AAL)

The earliest the leave can start is 14 days before the 'placement' of the adoptive child. The latest day it can start is the date the child is placed.

The adoption leave can start on any day of the week and the leave then runs on a rolling basis through the adoption leave entitlement.

Statutory Adoption Pay

The rate of statutory adoption pay (SAP) is the same regardless of the age of the child, up to 18 years old.

Employees who qualify for statutory adoption leave will also qualify for adoption pay provided that their average weekly earnings are not less than the lower earnings limit (LEL).

SAP is payable for a period of up to 39 weeks even if the employee does not intend to return to work after the adoption. This "Adoption Pay Period" (APP) effectively starts when the primary adopter starts their adoption leave and ceases at the end of the 39 weeks or when she/he returns to work, whichever is the earlier.

The first six weeks of the APP are paid at the higher rate of 90% of average weekly earnings followed by the lower rate for 33 weeks. In the event that the lower rate of SAP is greater than 90% of average earnings, the lower amount should be paid throughout the adoption pay period. SAP is payable on a daily basis and is regarded as taxable earnings.

The other 13 weeks of additional adoption leave is at no pay.

An employee's average weekly earnings must be calculated by the Finance Team. This involves adding the gross earnings together over the eight weeks up to and including the last pay day before the end of the qualifying week. Any payment, which is treated as earnings for NI contribution purposes, e.g. Statutory Sick Pay, must be counted. This will also include for example acting up payments made during the eight week period.

Occupational Adoption Pay

In order to support staff who wish to start or extend their family, the Trust offers a more generous provision of Occupational Adoption Pay (OAP) to eligible employees.

Eligibility for OAP will be assessed at the week the match is made.

Eligibility for OAP is not based on the employee's level of earnings or hours of work. All employees with 1 year's continuous service with the Trust at the week the match is made are entitled to OAP.

Payment of OAP

OAP is paid at the following rate over the first 6 weeks of Adoption leave:

- First 4 weeks – full pay
- Following 2 weeks – 90% of usual weekly salary

These payments are offset against SAP. An employee who has provided written confirmation of their intention to return to work will then receive half pay for the following 12 weeks along with their SAP.

For the remaining 21 weeks the employee will be entitled to SAP only – this totals 39 weeks of Adoption pay.

In the instance that the employee's half pay and SAP results in their usual pay being exceeded, their OAP will be adjusted to ensure they receive no more than their usual pay.

The 12 weeks' half pay can be claimed back if the employee does not return to work at the Trust for a period of at least 13 weeks after their Adoption leave. The SAP is not refundable.

For employees not intending to return to work following their period of Adoption leave, payments during the subsequent 33 weeks shall be SAP.

The Trust defines the term 'a week's pay' for employees whose remuneration for normal working hours does not vary with the amount of work done in the period, as the amount payable by the Trust to the employee under the current contract of employment for working their normal hours in a week. (It would be unusual but where there was no normal working hours, a week's pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, i.e. before the commencement of OAP. This period will exclude any week in which no remuneration was earned).

Failed Adoptions

In the instance that the employee has started their Adoption Leave and is notified that the child will not be placed, or an incident occurs following the placement that results in the adoption not continuing, the employee will not be entitled to full adoption leave.

In this situation the adoption leave will end 8 weeks after the end of the week that the adoption was cancelled.

There is no extension of the AAL if the above occurs with less than 8 weeks to go.

Returning to Work

If the employee wishes to return from adoption leave early during the OAL or AAL period they must give at least 21 days' notice in writing of the date on which they intend to return.

Following Adoption leave an employee is entitled to return to the job in which they were employed under their original contract of employment and on terms and conditions no less favourable than those that would have been applicable to them had they not been absent. "Job" for this purpose means the nature of the work which they are employed to do and the capacity and place in which they are so employed.

Shared Parental Leave

Shared Parental Leave (SPL) can give parents more flexibility in how they share the care of their child in the first year following birth or adoption. It applies to birth parents and adoptive parents. Parents are able to share a pot of leave, and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after their child.

Employees will continue to be entitled to 52 weeks of leave and 39 weeks of pay in accordance with the Maternity/Adoption Leave procedures and the Statutory Maternity and Adoption Pay schemes.

If they choose to do so, a parent can end their Maternity/Adoption leave early and can opt to take the remaining leave and pay entitlement with the child's other parent as Shared Parental Leave instead of Maternity or Adoption Leave. In order to do so both parties must meet the qualifying requirements.

Shared Parental Leave entitlement is additional to Paternity/Partner Leave entitlement. Paid Paternity Leave of two weeks will still be available in accordance with the Paternity Leave procedure. Staff are advised to take Paternity Leave before starting SPL, as once SPL begins, any untaken paternity leave entitlement is lost.

Leave Entitlement

The total amount of SPL available is 52 weeks:

- Less the weeks spent by the parent entitled to maternity leave (or the weeks in which the parent who had the baby has been in receipt of statutory maternity pay (SMP) or maternity allowance (MA) if they are not entitled to maternity leave, or
- Less the weeks spent on adoption leave (or the weeks in which the adopter has been in receipt of statutory adoption pay)

The individual who has given birth cannot start SPL until after the two weeks of compulsory maternity leave following the birth of the child. An adopter or the parental order parent in surrogacy must take at least two weeks of adoption leave before it can be curtailed.

The remaining unused maternity/adoption leave and pay entitlement can be taken as SPL by either parent up to a maximum of 50 weeks.

Parents can take their SPL at the same time as each other or at different times. All SPL must be taken before the child's first birthday or one year after the placement date in the case of adoption.

Employees will qualify for Shared Parental Leave if A, B, C, D and E below are satisfied:

- A. The birth parent/main adopter must be entitled to maternity/adoption leave (or to statutory maternity/adoption pay or maternity allowance if they are not a member of staff), and have curtailed their maternity/adoption leave/pay before they have taken their full entitlement.

B. Responsibility for care of the child:

- The member of staff is the child's parent, and shares main responsibility for the care of the child with the child's other parent, or
- Is the partner of the individual who has given birth and shares the main responsibility for the care of the child with them, or
- Is the adopter and shares the main responsibility for the care of the child with their partner

C. Staff must have worked for the Trust for at least 26 weeks at the Qualifying Week and be still employed in the week before any Shared Parental Leave is to be taken.

D. The other parent must have worked (in an employed or self-employed capacity) in Great Britain in at least 26 of the 66 weeks before the EWC/date of placement. In 13 of those weeks they must have earned average weekly earnings of at least £30 a week and have paid wither class 1 or class 2 national insurance contributions in those weeks (or hold an exemption certificate for those weeks).

E. The member of staff and the other parent must give the necessary statutory notices and declarations via the Shared Parental Leave Notification Form found in Appendix B, including notice to end any maternity / adoption leave, SMP/SAP or MA periods.

Neonatal Care leave and pay

This section sets out the rights of employees to Neonatal Care Leave and Pay following the birth of their child or their adoption of a child.

Statutory Neonatal Care Leave and other rights are also available to employees who are Trust foster parents in a "foster to adopt" situation, or employees who expect to become the legal parents of a child born under a surrogacy arrangement.

We understand that having a child in neonatal care is an extremely stressful and challenging experience. The Trust is committed to supporting employees and doing what we can to help ensure that they are able to be by their child's side while looking after their own health and wellbeing.

In addition, we have our Employee Assistance Programme which can offer additional support. The following definitions are used in this section:

"Adopter" means the person with whom the child has been placed for adoption through an approved UK adoption agency.

"Official notification" means written notification, issued by or on behalf of the relevant domestic authority, that it is prepared to issue, or has already issued, a certificate to the overseas authority concerned with the adoption of the child, confirming that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.

"Overseas adopter" means the person with whom the child is living, following the child's entry into Great Britain from outside the UK in connection with or for the purposes of adoption and who has received official notification in respect of the child.

"Placed for adoption" means placed for adoption under UK adoption laws including placement with a local authority foster parent who is also a prospective adopter ("foster to adopt").

"Prospective adopter" means the person with whom the child has been placed for adoption by a local authority in a "foster to adopt" arrangement.

The "relevant domestic authority" means the Secretary of State, except in the case of an adopter who is habitually resident in Wales, in which case it is the National Assembly for Wales, or Scotland, in which case it is the Scottish Ministers.

What is Neonatal Care Leave?

Neonatal Care Leave is designed to assist new parents of babies who are admitted into neonatal care in the first 28 days of their life.

Neonatal care means:

- medical care that your child receives in a hospital;
- medical care that your child receives in any other place providing:
 - your child was previously admitted to a hospital as an inpatient and needs continuing care after leaving the hospital;
 - the care is under the direction of a consultant; and
 - the care involves ongoing monitoring and visits from healthcare professionals arranged by the hospital where your child was an inpatient; or
- palliative or end-of-life care.

Requesting support

If employees are finding it difficult to cope at work because their child is in neonatal care, they are encouraged to speak to their line manager in the first instance.

We realise that this may not be an easy subject to talk about. However, we urge employees to be as open as possible about any issues that they are experiencing to ensure that they are provided with the right level of support.

Any information disclosed during discussions will be treated sensitively and in strict confidence.

Entitlement to Neonatal Care Leave

All employees have a statutory right to take Neonatal Care Leave if at the date of the child's birth:

- They are the child's parent and have responsibility for the upbringing of the child; or
- They are the partner of the child's mother or birth parent and have main responsibility for the upbringing of the child (apart from the mother or birth parent).

For adoptions within the UK, employees are entitled to Neonatal Care Leave if at the date the child is placed for adoption:

- They are the child's adopter and have or expect to have responsibility for the upbringing of the child;
- They are the child's prospective adopter (in a "foster to adopt" arrangement) and have or expect to have responsibility for the upbringing of the child; or
- They are the partner of the child's adopter or prospective adopter and have main responsibility for the upbringing of the child (apart from their partner).

For adoptions from overseas, employees are entitled to Neonatal Care Leave if at the date the child enters Great Britain:

- They are the child's overseas adopter and have or expect to have responsibility for the upbringing of the child; or
- They are the partner of the child's overseas adopter and have main responsibility for the upbringing of the child (apart from their partner).

If an employee is having a child through a surrogacy arrangement, they are entitled to Neonatal Care Leave if at the date of the child's birth:

- They have applied or intend to apply for a parental order within a period of six months;
- They expect the parental order to be granted; and
- They have or expect to have responsibility for the upbringing of the child.

Partner includes someone, of whatever sex, who lives with the mother or birth parent, or adopter, overseas adopter or prospective adopter, or the child, in an enduring family relationship but who is not the mother or birth parent's child, parent, grandchild,

grandparent, sibling, aunt, uncle, niece or nephew.

Additionally, the following conditions must be satisfied:

- The child was born on or after 6 April 2025;
- The child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child is born);
- The neonatal care has lasted seven days or longer without interruption (the seven days are counted from the day after the neonatal care started);
- The employee is taking the leave to care for their child; and
- They have complied with the relevant notice and declaration requirements set out in this policy.

Amount of Neonatal Care Leave that can be taken

The amount of Neonatal Care Leave that employees can take is one week for every week their child has spent in neonatal care without interruption. A week is defined as a period of seven days starting from the day after the neonatal care began.

In cases specifically related to adoption, entitlement begins either after the child has been placed for adoption (for adoptions within the UK) or after the child has entered Great Britain (for adoptions from overseas).

The maximum number of weeks that employees can take as Neonatal Care Leave is capped at 12 weeks.

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

Employees can take only up to 12 weeks' Neonatal Care Leave, even if multiple children from the same pregnancy require neonatal care.

Timing of Neonatal Care Leave

Employees can start their leave on any day after their child has received seven days of uninterrupted neonatal care.

The seven days are counted from the day after the neonatal care started. For example, if the child's started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means that the employee can start their Neonatal Care Leave on any day from 15 April.

Any Neonatal Care Leave must end within 68 weeks of the child's date of birth.

The right to Neonatal Care Leave is in addition to any other statutory leave that the employee may be entitled to, such as Maternity, Adoption, Paternity, ordinary parental, parental bereavement or Shared Parental Leave.

How Neonatal Care Leave may be taken

Neonatal Care Leave is available to take in two tiers:

- Tier 1

The "tier 1 period" begins when the child starts receiving neonatal care and ends on the seventh day after the child is discharged. If an employee takes Neonatal Care Leave in the tier 1 period, they can take it in one continuous block or a number of non-continuous blocks of a minimum of one week at a time.

- Tier 2

The "tier 2 period" is any remaining period (within 68 weeks after the child's date of birth) that is not part of the tier 1 period. If an employee takes Neonatal Care Leave during the tier 2 period, they must take the leave in one continuous block.

Employees should be aware that the relevant notice requirements differ depending on whether they take leave in the tier 1 or tier 2 period.

Notice to take Neonatal Care Leave

- Notice during the tier 1 period

For each week of Neonatal Care Leave that an employee wishes to take in tier 1, they should notify their line manager by telephone, preferably before your first day of absence in that week. However, we understand that this is likely to be a challenging time for employees, so they should be expected to give notice as soon as is reasonably practicable, given all the circumstances.

Employees are also required to give notice of their intention and entitlement to take Neonatal Care Leave using our Neonatal Care Leave form. This form contains a declaration that will need to be signed.

There is no expectation on employees to complete this form straightaway while their child is receiving neonatal care. However, we do request that the form is sent to us within 28 days of the first day of Neonatal Care Leave, or if this is not possible, as soon as it is reasonably practicable.

- Notice during the tier 2 period

If an employee wishes to take Neonatal Care Leave in the tier 2 period, they will need to give notice in writing of their intention and entitlement to take Neonatal Care Leave using our Neonatal Care Leave form. This form contains a declaration that will need to be signed.

If an employee is taking a single week of Neonatal Care Leave, their notice should be received by us at least 15 days before the first date that they have chosen for their leave to start, or if this is not possible, as soon as it is reasonably practicable.

If an employee is taking two or more consecutive weeks of Neonatal Care Leave, their notice should be received by us at least 28 days before the first date that they have chosen for their leave to start, or if this is not possible, as soon as it is reasonably practicable.

Changing Neonatal Care Leave plans

If an employee has submitted a notice of intention and entitlement to take Neonatal Care Leave during the tier 2 period but wishes to cancel the leave, they must inform their line manager.

If an employee intends to take a single week of Neonatal Care Leave, they must inform their manager at least 15 days before the first date chosen for the leave to start.

If an employee intends to take two or more consecutive weeks, they must inform their manager at least 28 days before the first date chosen for the leave to start.

Late notice

We understand that having a child in neonatal care is an incredibly difficult time for parents. If it is not possible for employees to meet the timeframes for giving or withdrawing notice as set out in this policy, we will accept later notice than this and, in some cases, we may waive the requirement to give notice altogether.

Starting Neonatal Care Leave

Neonatal Care Leave will start on the date that is specified in the notice.

Alternatively, if the employee gives notice on the same day that they want to begin their leave and they are already in work on that day, Neonatal Care Leave will start on the following day.

If we have agreed to waive the notice requirements, Neonatal Care Leave will begin on a day that is mutually agreed.

Other statutory leave

Employees are entitled to take Neonatal Care Leave in addition to any other statutory leave that they may be entitled to, including Maternity, Adoption, Paternity, ordinary parental, parental bereavement and Shared Parental Leave

If an employee has already started a period of statutory leave, but subsequently becomes eligible for Neonatal Care Leave, they can take their Neonatal Care Leave after completing the other statutory leave, provided that Neonatal Care Leave is taken within 68 weeks of the child's birth date.

If an employee has already started a period of Neonatal Care Leave during the tier 1 period but need to begin another type of statutory leave, Neonatal Care Leave will be temporarily paused immediately before the other statutory leave begins.

Employees can then resume the remaining weeks of their Neonatal Care Leave in one of two ways:

- if they are still within the tier 1 period - immediately after the end of the other period of statutory leave; or
- if they have transitioned into the tier 2 period - immediately after any other Neonatal Care Leave taken during the tier 2 period.

Employees cannot take Neonatal Care Leave in the tier 2 period if, at the time of giving notice, they are aware that the leave will overlap with another type of statutory leave.

Neonatal Care Pay

Statutory Neonatal Care Pay is payable during a period of Neonatal Care Leave, provided that the employee is entitled to it.

The rate of statutory Neonatal Care Pay is set by the Government for the relevant tax year, or at 90% of average weekly earnings (whichever is lower).

An employee will qualify for statutory Neonatal Care Pay if:

- They are entitled to take Neonatal Care Leave;
- They have at least 26 weeks' continuous employment with us at the end of the relevant week;
- They remain in continuous employment from the end of the relevant week (or from the child's birth if they were born before the relevant week);
- Their average weekly earnings are not less than the lower earnings limit for national insurance contributions;
- They have complied with the relevant notice and evidential requirements and are able to provide the declarations as set out in this policy; and
- They have confirmed when you wish to start receiving statutory Neonatal Care Pay within your form

"Relevant week" means the 15th week before the EWC if they are entitled to Statutory Maternity or Paternity Pay.

For cases where the employee has adopted the child and they are entitled to Statutory Adoption or Paternity Pay, "relevant week" is the week in which the adopter or partner are notified of being matched with the child for adoption purposes.

In all other cases, it means the week before the neonatal care begins.

Neonatal Care Pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

Changes affecting entitlement to Neonatal Care Leave and Pay

Employees must keep their line manager informed about the date that the child's neonatal care ends as soon as reasonably practicable after the care has ended.

If the child starts receiving neonatal care again, after the employee has informed us that the care has ended, they must keep their line manager informed of the new start and end dates

If an adoption placement is disrupted

A placement is disrupted where the child is returned after having been placed for adoption, ceases to live with the overseas adopter, or in the case of a surrogacy arrangement, the parental order does not proceed.

If an employee suffers a bereavement

Employees who have accrued entitlement to Neonatal Care Leave can still take the Neonatal Care Leave that they have accrued if their child passes away.

Employees may also be entitled to parental bereavement leave in these circumstances. Please liaise with HR for more information. Employees who have suffered a bereavement should contact their line manager so that they can discuss other support that we may be able to offer.

Rights during Neonatal Care Leave

During Neonatal Care Leave, all contractual terms and conditions except normal pay will continue. Pay will be replaced with statutory Neonatal Care Pay if the employee is eligible

for it. However, other benefits such as holiday entitlement will continue to accrue and pension contributions will continue as set out below.

Holiday entitlement

Employees will continue to accrue holiday entitlement during Neonatal Care Leave.

Any contractual or statutory holiday entitlement that has not been taken because of Neonatal Care Leave can be carried over into the next holiday year

Contact during Neonatal Care Leave

Managers may make reasonable contact with the employee during a period of Neonatal Care Leave although this should be kept to a minimum and may include making contact to discuss arrangements for the employee's return to work.

Returning to work after Neonatal Care Leave

Employees have the right to resume working in the same job and on the same terms and conditions if returning to work from a period of isolated Neonatal Care Leave.

If an employee returns from a period of Neonatal Care Leave that follows on immediately from another period of statutory leave (such as Maternity, Adoption, Paternity, parental bereavement or Shared Parental Leave) and the total time on leave is more than 26 weeks, they have the right to return to the same job wherever possible. However, if this is not reasonably practicable, we will offer them a suitable alternative job on terms and conditions that are no less favourable.

This also applies if the employee has taken Neonatal Care Leave consecutively with a single period of more than four weeks of ordinary parental leave.

Shared Parental Pay (ShPP) Entitlement

Shared Parental Pay (ShPP) is only available if the birth parent/main adopter was entitled to statutory maternity pay (SMP) or statutory adoption pay (SAP) or maternity allowance (MA). If a birth parent/main adopter does not qualify for SMP, SAP or MA, then the parents may qualify for shared parental leave, but they cannot qualify for ShPP.

Statutory Shared Parental Pay (ShPP) is a State benefit for parents on SPL, the conditions for which and the amount of which are determined by the Government but it is paid by the employer at a standard rate set by the Government each year.

To qualify:

- The birth parent/main adopter must qualify for SMP, SAP or MA, and
- Must qualify for SPL, and
- Must have average earnings at or above the lower earnings limit for National Insurance contributions in the 8 weeks before the qualifying week.

The maximum amount available to share will be 39 weeks less any weeks in which SMP, SAP or MA has been paid. As both parents share the remaining entitlement, any ShPP that received by the other parent will be counted towards the entitlement to ShPP.

Notification

All eligible employees who intend to take SPL must provide notice of this at least 8 weeks before they take any period of SPL.

The parent who gave birth to the child or main adopter must complete the relevant section on the Shared Parental Leave Notification form. This can be found in Appendix B or is available from the HR Manager. The form outlines the confirmation that they wish to end their maternity/adoption leave. This must be completed before SPL can commence.

Notice may be given before or after the birth or adoption, but maternity leave cannot end until at least two weeks after birth.

The partner / other adopter may be eligible to take SPL from their employer before maternity leave ends, provided the curtailment notice has been submitted via the Shared Parental Leave Notification form.

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

- the member of staff realises that neither parent is in fact eligible for SPL or ShPP, in which case the curtailment notice can be revoked in writing up to 8 weeks after it was given; or
- the curtailment notice was provided before giving birth, in which case it can be revoked in writing up to 8 weeks after it was given, or up to 6 weeks after birth, whichever is later; or
- The partner / other parent has died.

An employee considering SPL is encouraged to arrange an informal discussion with their line manager and the HR Manager as early as possible regarding their potential entitlement, to talk about their plans and to enable the Trust to support the individual's request.

Upon receiving a Shared Parental Leave Notification form, a member of SLT and the HR Manager may arrange a meeting to discuss it. Where a notice is for a single period of continuous leave, or where a request for intermittent periods of leave can, without further discussion, be approved in the terms stated in the employee's form, a meeting may not be necessary.

Where a meeting is arranged, the member of staff will be given at least 3 working days' notice of the meeting in writing and will have the right to be accompanied at the meeting either by a work colleague or a trade union representative.

The purpose of the meeting is to discuss in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for intermittent period of leave the discussion may also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the Trust, and what the outcome may be if no agreement is reached.

In addition to notifying the employer of entitlement to SPL/ShPP, an employee must also give notice to take the leave. In many cases, notice to take leave will be given at the same time as the notice of entitlement to SPL.

The employee has the statutory right to submit three notifications specifying leave periods they are intending to take. Each notification may contain either (a) a single period of weeks of leave; or (b) two or more weeks of intermittent leave, where the employee intends to return to work between periods of leave.

SPL can only be taken in complete weeks but may begin on any day of the week. For example if a week of SPL began on a Tuesday it would finish on a Monday. Where an employee returns to work between periods of SPL, the next period of SPL can start on any day of the week.

The employee must book SPL by giving the correct notification at least eight weeks before the date on which they wish to start the leave and (if applicable) receive ShPP.

Continuous Leave Notifications

A notification can be for a period of continuous leave, which means a notification of a number of weeks taken in a single unbroken period of leave (for example, six weeks in a row).

An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them (specified in the notice of entitlement) and the employer has been given at least eight weeks' notice.

An employee may submit up to three separate notifications for continuous periods of leave.

Intermittent Leave Notifications

A single notification may also contain a request for two or more periods of intermittent leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement where an employee will take six weeks of SPL and work every other week for a period of three months).

Where there is concern over accommodating the notification, the member of SLT or the employee may seek to arrange a meeting to discuss the notification with a view to agreeing an arrangement that meets both the needs of the employee and the Trust (see discussions regarding SPL above).

Greater Manchester Academies Trust will give careful consideration to an intermittent leave notification but has the right to refuse it.

If the leave pattern is refused, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

If the employee chooses to take the leave in a single continuous block, the employee has until the 19th day from the date the original notification was given to choose when they want the leave period to begin. The leave cannot start sooner than eight weeks from the date the original notification was submitted. If the employee does not choose a start date then the leave will begin on the first leave date requested in the original notification.

Shared Parental Leave Notification Confirmation

Once the Shared Parental Leave notification form has been submitted, it will be dealt with as soon as possible, but a response will be provided in writing no later than 14 days after the leave request was made

The request may be granted in full or in part, for example the Trust may propose a modified version of the request.

Variations to arranged Shared Parental Leave

The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise their line manager in writing at least eight weeks before the date of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification reducing the employee's right to book/vary leave by one. However, a change as a result of a child being born early, or as a result of the line manager requesting it be changed and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the line manager.

Statutory Shared Parental Pay

Eligible employees may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the parent who gave birth to the child/adopter reduces their maternity/adoption pay period or maternity allowance period.

ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.

In addition to meeting the eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:

- the parent who gave birth to the child/adopter must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period;
- the employee must intend to care for the child during the week in which ShPP is payable;
- the employee must have an average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date are not less than the lower earnings limit in force for national insurance contributions;
- the employee must remain in continuous employment until the first week of ShPP has begun;
- the employee must give proper notification in accordance with the rules set out below.

Where an employee is entitled to receive ShPP they must, at least eight weeks before receiving any ShPP, give their line manager written notice advising of their entitlement to ShPP. This is included within the Shared Parental Leave Notification form.

Any ShPP due will be paid at a rate set by the Government for the relevant tax year.

Returning to Work after Shared Parental Leave

The employee will have been formally advised in writing of the end date of any period of SPL. The employee is expected to return on the next working day after this date, unless they notify their line manager otherwise. If they are unable to attend work due to sickness or injury, the Trust's normal arrangements for sickness absence and pay will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If the employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give at least eight weeks' notice of their date of early return. This will count as one of the employee's notifications. If they have already used their three notifications to book and/or vary leave then the line manager does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so.

The following sections outline standard information that applies to both Maternity Leave, Adoption Leave and Shared Parental Leave.

Contractual Entitlements

During the period of leave, the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary. In particular, any benefits in kind and contractual annual leave entitlement will continue to accrue.

Contact during Leave

Shortly before an employee's leave starts, their line manager will discuss the arrangements for them to keep in touch during their leave, should they wish to do so.

The Trust reserves the right in any event to maintain reasonable contact with the employee from time to time during their leave. This may be to discuss their plans for returning to work, to discuss arrangements for KIT/SPLIT days or to simply update them on developments during their absence.

Keeping in Touch Days / Shared Parental Leave in Touch Days

An employee is entitled to work for up to 10 days during their Maternity/Adoption Leave period (excluding compulsory maternity leave i.e. the 2 week period immediately after the baby is born) without that work bringing their Maternity/Adoption Leave to an end and without loss of a week's Statutory Maternity/Adoption Pay. These are known as Keeping in Touch (KIT) days.

An employee is entitled to work for up to 20 days during their Shared Parental Leave period without bringing their period of SPL to an end or impacting on their right to claim ShPP for that week. These are known as Shared Parental Leave in Touch (SPLIT) days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.

These can be used to attend work activities such as training or any other activity undertaken to assist employees in keeping in touch with the workplace, such as attending conferences, appraisals or team meetings.

Any work carried out during leave will count towards a KIT/SPLIT day. Once the KIT/SPLIT days have been used up, the employee will lose a week's SMP/SAP/ShPP for any day in which they work during their leave.

Any KIT/SPLIT worked do not extend the period of leave and the employee will be expected to return on the date specified to them in their confirmation letter.

The employee is under no obligation to work during their period of leave and should not suffer any detriment by refusing to work, nor do they have any right to undertake work and each request will be judged on its own merit in agreement with the line manager. However, as the purpose of KIT/SPLIT days is to assist the employee in their return to work it is unlikely that a request would be refused.

An employee, with the agreement of their line manager, may use KIT/SPLIT days to effect a gradual return to work by the employee towards the end of their leave or to trial a possible flexible working pattern.

Employees will continue to receive their SMP/SAP/ShPP payment for the week in which they work; in addition they will be paid at their normal contractual rate of pay for any work undertaken during the keeping in touch days.

SMP/SAP/ShPP will not be offset against any payment for attending a KIT/SPLIT day except where the total payment exceeds normal contractual pay. This principle will also apply to employees in receipt of the Trust's OMP/OAP.

Line managers must notify the HR Manager of the name of the employee, the date the employee has undertaken the work and the numbers of hours worked. They will record these details, to monitor the number of KIT/SPLIT days undertaken and ensure that the maximum 10- day limit is not exceeded. They will also ensure that the appropriate payments are made.

Annual Leave Entitlements

The level of entitlement and practical arrangements regarding annual leave differs between support staff and teaching staff at the Trust. This difference translates through to the Maternity, Adoption and Shared Parental Leave schemes also.

Teaching Staff

Teaching staff are not required to attend work for 50 days per year, as part of their contract of employment and corresponding salary; this 50 day period consists of 28 days of statutory leave entitlement and 22 days on non-attendance days.

Only the statutory leave entitlement is referred to for the purposes of calculating if any leave is owed on the employee's return from Maternity/Adoption/Shared Parental Leave. Teachers are contractually required to be available to work during term time, and their statutory leave forms part of normal holidays during Academy closure periods. The "leave year" is defined as 1 September – 31 August. A teacher's entitlement to statutory leave is not affected by Maternity/Adoption/Shared Parental Leave, paid or unpaid.

A teacher who takes Maternity/Adoption/Shared Parental Leave must be able to take the 28 days statutory annual leave at a time outside of their ordinary and additional

Maternity/Adoption/ Shared Parental Leave. This entitlement will be offset by any period of Academy closure that has taken place in the leave year in question, i.e. both before and after the Maternity/Adoption/Shared Parental Leave period.

The Trust will advise the Teacher prior to commencing their Maternity/Adoption/Shared Parental Leave, that they have a statutory entitlement to 28 days leave and that this should be taken either before or after the Maternity/Adoption/Shared Parental Leave period during Academy closure periods. The Finance and Admin Team will calculate how much leave the teacher will accrue during their proposed Maternity/Adoption/Shared Parental Leave period; and this information can then be factored into the decision of when to start and finish the Maternity/Adoption/Shared Parental Leave. It is common practice to utilise any leave days owed just before or after the actual Maternity/Adoption/Shared Parental Leave.

On their return from Maternity/Adoption/Shared Parental Leave, a teacher must be allowed to take any outstanding annual leave during term time during that annual leave year if there are insufficient Academy closures to accommodate them in that leave year. Where the return from Maternity/Adoption/Shared Parental Leave is too close to the end of the annual leave year that there is not enough time to take all their annual leave entitlement, a teacher must be allowed to carry over any balance of their annual leave to the following leave year. A teacher will be required to take this during the remaining periods of Academy closure after the 28 days' annual leave for that annual leave year has been accommodated, i.e. on one of the other non-teaching days.

A teacher cannot receive payment in lieu of untaken annual leave unless they do not return to their job following Maternity/Adoption/Shared Parental Leave. This will be calculated on a pro rata basis for the annual leave year in question. However, it should be noted that a teacher who does not return to their job may be required to refund any OMP/OAP paid - this may be offset by payments due in respect of holiday pay.

Support Staff

Support staff accrue annual leave and bank holidays during their Maternity/Adoption/Shared Parental Leave. The employee must however normally take such leave within the annual leave year that it is accrued, i.e. 1 September to 31 August.

The Trust will calculate how much leave an employee will accrue during their Maternity/Adoption/Shared Parental Leave, provided that management has sufficient notice of their intentions this should be done in good time to give them a number of options. Depending on the timing of their Maternity/Adoption/Shared Parental Leave in relation to the annual leave year, an employee may choose to take their annual leave before they start their Maternity/Adoption/Shared Parental Leave. Alternatively, provided they give sufficient notice, they could start their Maternity/Adoption/Shared Parental Leave earlier than they anticipated and fit their annual leave in after they return. Finally, they may decide to return before the end of their Maternity/Adoption/Shared Parental Leave, so that they can take their remaining annual leave before the end of the annual leave year; substituting the week of no pay with weeks of paid annual leave.

Where an employee is unable to take their annual leave before they start their Maternity Leave due to the early birth of their child or pregnancy related sickness absence, or where Maternity/Adoption Leave is close to or overlaps with the end of the annual leave year to the extent that they cannot take all of their annual leave, an exception should be made to carry over policies to allow them to take the leave that they would otherwise lose in the next year.

Pensions

- Members entitled to occupational or Statutory Maternity/Adoption/Shared Parental/Neonatal Care Pay will pay contributions based on actual payments made.
- The employer's contributions are based on the normal pay the employee would have received but for being on Maternity/Adoption/Shared Parental/Neonatal Care Leave.
- The employee will accrue full pensionable service during a period of paid family friendly leave even though they will have paid contributions on less than their normal pay.
- For members who are not due any occupational or statutory pay due to short length of service, all family friendly leave is unpaid

During any ordinary leave periods, or paid additional leave periods, the employee will pay normal contribution rate on whatever pay they receive. If they are on less than their normal pay, or even not paid, their membership still builds up as usual. So there is no effect on their pension benefits.

During periods of unpaid leave the employee will only pay contributions if they choose to. They have 30 days from returning to decide and the cost is their normal contribution rate of the last pay they received. If they choose not to, they will not build up any membership for this period, and this will affect their pension benefits in the long term.

Right to Request Flexible Working

The Trust will give full consideration to any request to work part time, flexibly or on a job share basis following Maternity/Adoption/Shared Parental Leave. All employees can formally request flexible working arrangements please see the Work Life Balance policy.

Paternity/Partner Leave

Eligibility

An employee who has 26 weeks continuous service with the Trust at the 15th week before the date a child is expected may

be eligible to take Paternity/Partner Leave provided they fulfil one of the below criteria.

They are:

- The spouse of the person who had had the baby who will have responsibility for the child's upbringing
- The long term partner of person who has had the baby who expects to have responsibility for the child's upbringing
- The secondary adopter of a newly placed adopted child/children with their partner

A partner is defined as a person who lives with the person who has had the baby in an enduring family relationship. In all cases the employee must have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or support the person who has had the baby.

Those not eligible are:

- A relative of the person who has had the baby, i.e. mother, father, brother, sister, aunt, uncle or grandparent
- The biological father if he is not expecting to have responsibility for the upbringing of the child

Leave Entitlement

The employee can take up to two weeks' paternity/partner leave. The first week must be taken as a single block of leave upon the birth of the child; the second week may be taken flexibly as agreed with, and when approved by the employee's line manager and a member of the Senior Leadership Team.

The Paternity/Partner Leave can start on:

- the date the child is born (or placed); or
- from a specified date after the birth (or placement)

Occupational Paternity Pay (OPP)

Where an employee has 1 year or more continuous service with the Trust at the 11th week before the EWC, they will be entitled to two weeks' full pay.

Notification

The employee must notify their line manager and the HR Manager of their intention to take Paternity/Partner Leave no later than the 15th week before the EWC.

Upon notifying of their intention to take Paternity/Partner Leave, the employee will receive a Paternity/Partner Leave confirmation letter from the HR team within 28 days (where possible) confirming the dates of their leave and any other relevant details.

If the Paternity/Partner Leave is related to an adoption then notification must be within the 7 days of being told a 'match' has been made with a child. This must include the date the child is expected to be placed, the intended start date of the Paternity/Partner Leave and the length of the intended leave and the date on which the adopter was notified of having been matched with the child.

The employee is required to complete an Inland Revenue SC3 form for a birth child or an SC4 for form an adopted child. The form includes information on the EWC or the date of the adoption placement, the length Paternity/Partner Leave requested, the leave start date and a signed declaration confirming the individual's relationship to the child.

The start of the leave can be varied. Where an employee has notified management that they wish to take paternity leave from the birth of the child they will be able to do so whether or not the child is born on the expected date.

If an employee wishes to return from Paternity/Partner Leave early, they must request this in writing. A decision on whether to grant an early return is at the discretion of the Principal.

Appendix A

Glossary of Main Terms and Abbreviations

OML	Ordinary Maternity Leave	All pregnant employees are entitled to 26 weeks of OML
AML	Additional Maternity Leave	This begins at the end of OML and runs for a further 26 weeks, all pregnant employees are entitled to AML regardless of length of service
SMP	Statutory Maternity Pay	This is the maternity pay funded in the main by the government through national insurance. The amount is updated annually.
OMP	Occupational Maternity Pay	This is the maternity pay paid by the Trust
EDC	Expected Date of Childbirth	This is the day on which the baby is expected to be born.
EWC	Expected Week of Childbirth	This is the week during which the baby is expected to be born starting on the Sunday before.
QW	Qualifying Week	This is the week used in deciding whether the employee qualifies for maternity benefits. The qualifying week differs depending on whether you are calculating SMP or occupational benefits. The QW is the 15th week before the expected week of childbirth (EWC) when assessing entitlement to SMP, but is the 11th week before the EWC when assessing entitlement to the Trust's scheme.
MPP	Maternity Pay Period	This is the period during which Statutory Maternity Pay is paid. The employee can choose when to start their MPP but it cannot start any earlier than the 11th week before the EWC
LEL	Lower Earnings Limit	The figure for the Lower Earnings Limit is set by the DSS and relates to the payment of national insurance and to the eligibility for SMP. Women who earn below the LEL do not qualify for SMP.
MAT B1		This is the maternity certificate, which normally provides medical evidence on when the baby is due. A doctor or midwife must sign the certificate no earlier than twenty weeks before the EWC. This must be given to the employer by the end of the third week of what would be the MPP and the employer cannot pay SMP until the certificate is received.
Maternity Allowance		This is paid by the DWP to qualifying women where the woman is not eligible for SMP. It is based on the woman's recent employment and earnings record.
KIT	Keeping in Touch Day	The employee is entitled to attend work for up to 10 days while on maternity or adoption leave for the purpose of Keeping in Touch.
SPLIT	Shared Parental Leave In Touch Days	The employee is entitled to attend work for up to 20 days while on shared parental leave for the purpose of Keeping in Touch.
OPP	Occupational Paternity Pay	

Appendix B

Notification of Shared Parental Leave Form

Please complete all sections of this form and submit it to the HR Manager.

- This form is for employees to provide notification of an upcoming period of Shared Parental Leave
- Before Completing this form, please read the Shared Parental Leave section of the Family Policy
- Please complete and submit this form at least 8 weeks prior to the date that you would like the period of Shared Parental Leave to start

Your details

Name	
Department	
Job Title	

Your partner's details

Name	
Employer (Name and Address)	
NI Number	

Your leave dates

Start date	End date	No. Weeks
Total Number of Weeks		

Please note: the combined amount of shared parental pay cannot exceed 37 weeks (**not including** compulsory 2 weeks' maternity/adoption leave period).

I confirm the following:

- I wish to exercise my right to take Shared Parental Leave
- The information provided above is correct
- I can confirm I will curtail my maternity/adoption leave as per the above dates as I will be sharing leave with my partner

Signature of employee:

Date:

Signature of employee's partner:

Date:

Appendix C

Notification of Paternity/Partner Leave

Please complete all sections of this form and submit to the HR Manager

- This form is for staff to notify of an upcoming period of Ordinary Paternity/Partner Leave.
- Leave can be taken as one continuous block or **either one or two weeks**, after the date of birth or adoption of a child
- Before completing this form, please read the Paternity/Partner Leave section of the Family Policy.
- Please complete this form by the 15th week before the expected week of childbirth or 7 days after the notification of a match with a child by the adoption agency.

Name	
Department	
Job Title	

Key Dates

Anticipated date of birth (i.e. due date – this can be found on your partner's MAT B1 form). Of if adopting, date of placement of child/actual date of birth	
Date you wish to start your Ordinary Paternity Leave	
Date of return to work	

If the child is born early, rights of entitlement will not be affected but the subsequent dates on which leave may begin, finish or be taken may change. Please contact the HR Manager as soon as possible if your anticipated dates change.

I confirm the following:

- I am the child's biological parent or spouse, partner, civil partner of the mother or person adopting the child, or one of a couple who have jointly adopted a child or intended surrogate parent entering into a legal surrogacy arrangement.
- I have or expect to have main responsibility (shared with the above) for the child's upbringing.
- I am making the application to take time off work to support the mother/person adopting the child or to care for the child.

Signature of employee:

Date:

