

FAMILY LEAVE POLICY

Learning Academies Trust

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CHANGES

Policy date	Summary of change	Author	Version	Review date
12/07/2022	Policy has been created.	Amy Bosworth HR Lead & Business Partner	1.0	July 2024

1. INTRODUCTION

Learning Academies Trust is committed to fairness and equity and values diversity in all aspects of its work, as a provider of education and as an employer of people. We constantly strive to build a workforce that is representative of the community it serves.

The Trust is committed to eliminating all forms of discrimination on the grounds of age, disability, gender reassignment, marriage / civil partnership, pregnancy, maternity, race, religion or belief, sex and sexual orientation in the provision of our services and in recruitment and employment. This enables an environment that is characterised by dignity and respect, which is free from harassment, bullying and victimisation.

This policy applies to all staff employed by Learning Academies Trust, including support staff and teachers regardless of the number of hours worked per week. The policy sets out the rights of Trust employees to family leave and pay in accordance with national, local and statutory conditions of service. Nothing in the provisions shall be construed as providing rights less favourable than statutory rights.

2. PERSONNEL RESPONSIBLE FOR IMPLEMENTING THE POLICY

The Board has overall responsibility for the effective operation of this policy but has delegated day-to-day responsibility for its operation to the Chief Executive Officer (CEO) and the HR Business Partner.

Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the CEO and the HR Business Partner. All managers have a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the contents.

All staff are responsible for the success of this policy and should ensure that they take the time to read and understand it as and when it applies to them.

3. PRINCIPLES

The organisation recognises that employees may have questions and/or concerns relating to all family leave rights. Therefore, this policy aims to provide details of potential provisions for the following family leave and pay:

- Maternity
- IVF
- Adoption
- Surrogacy
- Paternity
- Shared Parental
- Parental
- Parental Bereavement

However, as the family leave provisions are complex, all staff should take the time to familiarise themselves with this policy in the first instance. Should you wish to seek HR support please contact hr@learningat.uk

This policy does not form part of any employee's contract of employment other than those aspects of this policy related to statutory and contractual terms and conditions, therefore, the Trust may amend it in consultation with the recognised Trade Unions.

Where employees have enhanced terms and conditions of employment under TUPE, the enhanced terms will apply.

4. DUTIES AND RESPONSIBILITIES

Line Managers are responsible for:

- Ensuring that this policy is adhered to within their specified area and should take consideration of it when undertaking relevant processes.
- Ensuring that employees are made aware of this policy and understand the potential implications of processes in relation to it.

Employees must:

- Ensure that they participate and engage in any processes in line with this policy.
- Make their manager aware if they require any additional support to participate in processes within this policy.

5. MATERNITY

This section sets out the Trust's entitlements for staff who are pregnant, including notification requirements and rights to time off work. Please contact HR for all relevant forms detailed in this policy.

5.1 Notification of pregnancy

You should tell your manager at the earliest opportunity following the confirmation of your pregnancy; your manager will then arrange to complete a maternity risk assessment with you and inform HR, who will require you to complete the Maternity Leave Notification form and send this to hr@learningat.uk.

It is advisable for you and your manager to meet to discuss your maternity leave start date, expected return date along with any other questions you may have. You may wish to contact HR for further guidance.

You are required either in or before your qualifying week (15th week before your Expected Week of Childbirth (EWC)), to notify the organisation in writing of your pregnancy; your EWC and the date you intend to start your

maternity leave. You should do this by completing the Maternity Leave Notification Form. Once completed you should send it to both your manager and the HR department. You are also required to send your original MATB1 certificate to HR. You will normally receive this in or after your 25th week from your GP or midwife. On some occasions your MATB1 may be returned to you particularly if you will be claiming Maternity Allowance (MA). It is important that you complete your personal details on the certificate before forwarding to your manager so as not to delay the process.

Within 28 days of receipt of your completed form and MATB1 you will receive written confirmation of your notification, a maternity schedule detailing your estimated salary during maternity and a KIT Day form.

If you should wish to alter your leave commencement date you should notify your manager in writing as soon as is reasonably practicable.

Once you have confirmed your return date you will be required to give your manager at least 8 weeks' written notice, should you wish to amend this date.

5.2 Ante natal care appointments

Any pregnant member of staff has the right to paid time-off to attend antenatal care and medical appointments, including travelling time. Staff should liaise with their line manager regarding time-off, giving as much notice as possible. Staff will need to complete the Trust's Application for Leave of Absence request form and provide evidence of the appointments. It is recommended that the manager maintains a record of the appointments through the normal processes for recording paid time off.

Fathers and partners have the right to take unpaid time off work to accompany expectant mothers to up to two antenatal appointments. Staff should liaise with their line manager regarding time-off giving as much notice as possible.

5.3 Maternity Leave

All staff are entitled to take up to 52 weeks' maternity leave (comprising 26 weeks of Ordinary Maternity Leave and 26 weeks of Additional Maternity Leave). This right applies to all staff regardless of their length of service or the number of hours they work per week.

To be eligible for maternity leave staff must comply with the notification requirements set out in this policy.

All employees have the right to curtail their period of maternity leave to utilise Shared Parental Leave with their partner please refer to the Shared Parental Leave section.

5.4 Commencing Maternity Leave

Maternity leave can commence at any time from 11 weeks before Expected Week of Childbirth (EWC). It must commence no later than the day after childbirth.

If the staff member is absent from work due to a pregnancy related illness during the 4 weeks before the EWC, her maternity leave will commence automatically.

If childbirth occurs before the date the member of staff notified as the day she intended to start maternity leave then her maternity leave will commence on the day after the day of childbirth.

If a temporary replacement is required to cover the member of staff's maternity leave, the temporary member of staff must be informed in writing that their employment will be terminated on the return to work of the staff from maternity leave.

5.5 Conduct during Maternity Leave

Managers are required to maintain an appropriate level of contact with members of staff during their maternity leave period to discuss issues such as return to work and will keep employees informed of vacancies, any significant

workplace developments and training opportunities. The member of staff and manager should discuss the method of contact and frequency during maternity.

*Contact will not constitute as 'work' and would not therefore count towards the 10 days 'keeping in touch' days and neither would contact bring the maternity leave period to an end.

5.6 Returning to work

The member of staff cannot return to work in the two weeks following the day of childbirth. This is Compulsory Maternity Leave.

“Expected Return Date” - If the member of staff chooses to return to work at her Expected Return Date, they do not have to give specific notice, although they should confirm to their line manager the date, they wish to return so that arrangements can be made. The Line Manager should complete the 'Notification of return from maternity leave' form and meet with the returning employee at the beginning of their first day for an appropriate briefing before any work duties are resumed.

Altering an early return date – If a member of staff changes their mind about the date they intend to return, they must give eight weeks' notice before the new date. If you do not give enough notice, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

Return to work and sickness absence – If the staff member is unable to return to work on the expected date due to sickness, the member of staff has still exercised her right to return by complying with the notification procedure. She will then commence a period of sickness absence and be treated as any other staff who is absent due to sickness, including the payment of sick pay.

5.7 Breastfeeding mothers

It is advised that returning mothers who are still breastfeeding inform their employer so as to ensure appropriate arrangements can be agreed and put in place regarding accommodation and regular breaks. Further information can be found on the HSE Website - <https://www.hse.gov.uk/mothers/index.htm>. The line manager and the member of staff should complete a new risk assessment at the beginning of the first day back before any work duties are resumed.

5.8 Flexible working requests

A member of staff returning to work may make a request to work flexibly, as set out in the Trusts' Flexible Working Requests Policy. Staff are advised to submit a flexible work request with plenty of notice, as the Trust has up to three months to confirm a decision from the date the request is submitted.

5.9 Choosing not to return to work

The member of staff must give normal notice of resignation if she does not intend to return to work after her maternity leave.

The member of staff may have to pay back any pay received, as part of occupational maternity pay – see Occupational Maternity Pay – Repayment section. Payroll will notify the member staff of their particular circumstances and it is a requirement that any overpayment is repaid before leaving employment with the Trust.

The last day of maternity leave will be the last day of service, unless the staff member has given written notice that she wishes to resign on an earlier date.

5.10 Maternity pay

Staff may be eligible for one or more of the following payments depending on length of service and contractual terms.

Statutory Maternity Pay (SMP) – A member of staff is eligible for SMP providing she meets certain criteria. To qualify for SMP you must:

- Earn on average at least £123 a week
- Give the correct notice

- Provide proof of pregnancy
- Have worked for your employer continuously for at least 26 weeks continuing into the 'qualifying week' - the 15th week before the expected week of childbirth

SMP payments are:

- First six weeks: 90% of average weekly earnings (before tax)
- Next 33 weeks: flat rate SMP or 90% average weekly earnings whichever is the lower. Current rates are available from <https://www.gov.uk/maternity-pay-leave/pay>

5.11 Maternity Allowance (MA)

Where the member of staff is not eligible for SMP she may be able to claim MA from the Department for Work & Pensions. If this is the case, payroll will send the member of staff a claim form to complete. MA payments are flat rate for 39 weeks. Current rates are available from <https://www.gov.uk/maternity-allowance>

5.12 Occupational Maternity Pay (OMP)

This will depend on the member of staff's length of service, her contractual terms and conditions and if she plans to return to work.

Learning Academies Trust recognises the provisions under the Burgundy Book which contains provisions for an occupational maternity scheme for those teachers who are eligible and the SMP component may be impacted accordingly. Please contact HR for your contractual Maternity Pay details.

Learning Academies Trust recognises the provisions under the Green Book which contains provisions for an occupational maternity scheme for those support staff who are eligible and the SMP component may be impacted accordingly. Please contact HR for your contractual Maternity Pay details.

5.13 Occupational Maternity Pay – Repayment

If a member of staff has declared that she will be returning to work following the birth, she must return to work for the Trust for a period of time in order to 'protect' her Occupational Maternity Pay (OMP). Where the staff holds more than one post, she must return to each post in order to protect the OMP which has been paid against that employment.

Teachers - The period for which the staff member must return is 13 weeks (including periods of school closure). Where a full-time teacher may return to work on a part-time basis for a period which equates to 13 weeks of full-time service. Similarly, where, a parttime teacher may return to work on a different part-time basis for a period which equates to 13 weeks part-time service relating to her previous contract.

Support Staff - The period for which the staff member must return to work is three months regardless of the number of hours worked.

Occupational maternity payments are made at the normal pay interval (less normal deductions) or withheld until the staff member returns to work, when the amount is paid as a lump sum (less normal deductions).

If a staff member decides not to return to work (i.e. resigns) or the contract ends for a reason other than redundancy whilst on maternity leave, OMP ceases when the employment ends. The member of staff is required to repay any enhanced pay elements of OMP (12 weeks) paid up to and including the last day of employment if she does not return to work for the Trust. Payroll will notify the member of staff of the amount, and it is a requirement that any overpayment is repaid before leaving employment with the Trust. This applies to employees on permanent and fixed term contracts.

If member of staff holds more than one post and chooses to return to one or more but not to all posts, she will be required to repay the half pay elements, if applicable, paid against the post(s) which she chooses to not return to.

If member of staff is made redundant whilst on maternity leave, OMP ceases on the last day of employment. The member of staff is not required to pay back any half pay elements of OMP (12 weeks) paid up to and including the last day of employment. This applies to employees on permanent and fixed term contracts.

The member of staff will not have to refund SMP/MA payments as these are statutory payments.

If the member of staff is made redundant during maternity leave any maternity pay should be topped up to the equivalent of full pay during the notice period (section 88 of the Employment Rights Act 1999).

To be eligible for maternity leave and pay, employees must meet specific notification requirements as set out in the Maternity Pay section (page 5).

5.14 Salary Sacrifice Schemes

You should contact HR at the earliest opportunity as these schemes may have a negative effect on your maternity pay (hr@learningat.uk).

Maternity pay is calculated on the amount of average weekly earnings during the two pay dates falling in or before your 15th week of confinement and is not based on basic pay, but an average pay that you have earned during this reference period. Salary sacrifice schemes cannot be deducted from any statutory payments, and therefore, you are strongly advised to discuss this with Payroll at the earliest opportunity.

If you are a member of a Trade Union, the Trust recommends you inform your trade union when you begin maternity leave, as many of the recognised trade unions will substantially reduce your subscriptions during maternity leave if they are notified. It is recommended that you take advantage of these reduced rates rather than lapse your membership as you may require support and representation related to pregnancy and maternity, and if you lose your continuous membership, you may lose entitlements to some member benefits and services depending on the trade union.

5.15 Health & Safety (Maternity Risk Assessment)

Learning Academies Trust has a duty of care towards mothers and their unborn children; therefore it is important that we ensure that your working conditions will not cause harm to you or your unborn children.

If the risk assessment identifies or a medical professional considers that you and / or your unborn child would be at risk and the risk(s) be significant the line manager will need to take action. Advice can be sought from the Trust's Estates Manager and the occupational health provider. This may include:

- Removing the hazard(s) or avoiding the employee's exposure to the risk(s);
- Advising the member of staff of the risk;
- Informing the member of staff of any action the line manager will take to ensure that the member of staff is not exposed to a risk that could cause harm.

Our priority would be to seek and provide suitable alternative employment for which you would continue to receive your normal pay. If in exceptional circumstances we are unable to offer suitable alternative work, you would be placed on special paid leave.

Depending on the nature of your job and / or area that you are based, it may be appropriate to complete more than one risk assessment during your pregnancy. In most circumstances the risk assessment should be reviewed on a monthly basis during the pregnancy to ensure relevance and identify any changes. A further review should take place when the member of staff returns to work following maternity leave.

5.16 Risk of Rubella (Chicken Pox/Scarlet Fever)

If in the early months of pregnancy, if a member of staff is advised by an approved medical practitioner to be absent herself from school because of the risk of rubella, she shall be granted leave with full pay, provided that she does not unreasonably refuse to serve in another school where there is no such undue risk.

5.17 Accrual of annual leave during Maternity Leave (non-term time staff)

(not applicable to Teachers or support staff who take their holidays during school closure periods)

The leave year for non-term time staff for the purpose of establishing annual leave entitlement, whilst on maternity leave is 1 September to 31 August.

If an employee's maternity leave spans two annual leave years, she will be able to carry forward her contractual entitlement into the new leave year. However, the manager should be proactive about managing the amount of leave that the staff will have and discuss the options available as early as possible (see procedure). These options could be to:

- Take annual leave before the start of the maternity leave;
- Start the maternity leave earlier than anticipated and fit in the annual leave before returning to work;
- return before the end of the maternity leave so that the remaining leave can be taken before the end of the annual leave year;
- Take annual leave at the end of maternity leave, fitting it in before returning to work.
- Any leave carried over must be taken by 31st August of the subsequent leave year.

During maternity leave, annual leave (including bank holidays) will accrue in the same way as it did before the absence began. If the member of staff returns to work on a reduced hour's basis, on the date of return to work the annual leave will begin to be calculated at the new pro-rata rate.

If the member of staff decides not to return to work, annual leave will accrue up to the final date of service.

If during the maternity leave period the member of staff subsequently decides not to return to work and too much annual leave has been taken then there will be a requirement to pay back some of the annual leave taken in advance. This will be in the form of any monies owed by the employee.

5.18 Accrual of annual leave during Maternity Leave (term time staff only)

The leave year for term time support staff for the purpose of establishing annual leave entitlement, whilst on maternity leave, is 1 September to 31 August.

Following the introduction of the Working Time (Amendment) Regulations 2007, which came into effect on 1 October 2007, the statutory leave entitlement has increased to 28 days (5.6 weeks), pro rata for those working part time. This is not an additional entitlement to annual leave on top of the current school closure arrangements.

Term time staff on maternity leave are entitled to accrue their contractual annual leave (including bank holidays) under the Working Time Regulations. Employees who take maternity leave must be able to take their annual leave at a time outside of their maternity leave.

Staff will be required to take any outstanding accrued leave immediately after the end of their maternity leave.

Staff are advised to speak to HR who will calculate the accrued annual leave during their maternity leave and will be able to advise on maternity leave dates.

It will not be possible for employees to obtain payment in lieu of untaken annual leave instead of taking leave during the leave year. However, payment in lieu may be necessary if the member of staff does not return to her job following maternity leave. Payment will be made in accordance with the Working Time Regulations and is not pensionable.

5.19 Accrual of annual leave during Maternity Leave

Teaching Staff - All teachers have a statutory right to 28 days' leave under the Working Time Regulations.

A teacher must be able to take her annual leave at a time separate to her maternity leave. Given the school closure periods, it is likely the 28 days entitlement will have been met during school closure periods either before or after her period of maternity leave.

Support Staff - OML and AML shall be regarded as continuous service for the purposes of the National Joint Council's sickness and maternity schemes and annual leave.

Annual leave continues to accrue during both ordinary and additional maternity leave.

5.20 Pension contributions during Maternity Leave

Teachers:

- During the period of paid maternity leave, pension contributions will be paid and deducted from the teachers' pay in line with pension regulations.
- Any unpaid period will not be pensionable/reckonable.
- Please contact Teachers Pensions online at www.teacherspensions.co.uk for further guidance on your pension contributions during maternity leave.

Support Staff:

- During the period of paid maternity leave, pension contributions will be paid and deducted from the pay in line with pension regulations
- Any unpaid period will not be pensionable/reckonable.
- Please contact LGPS online at <https://www.lgpsmember.org/> for further guidance on your pension contributions during maternity leave.

5.21 Working during maternity leave / 'Keeping in Touch' days

A member of staff can do 10 days' work during their maternity leave without bringing their maternity leave to an end. Working for part of a day will count as one day.

KIT days are designed to bridge the gap between a prolonged period of maternity leave and the return to work, the idea being that they assist with easing the employee back into their working environment

- Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace (i.e. inset day).
- A manager cannot insist that a member of staff carries out any work and equally a member of staff cannot insist on being given any work to do.
- The member of staff's maternity leave will not be extended due to the fact that she has carried out some work during this period.
- The member of staff will not lose any SMP for working up to 10 KIT days.
- A member of staff will be paid their normal rate of pay for any work done under the contract of employment and this will be offset against any SMP due for each day.
- Maternity leave and pay will automatically end if you work more than 10 KIT days.
- A member of staff cannot carry out any work during the first two weeks following the birth of the child.
- To claim working a KIT Day, staff will need to complete the KIT Day form and clearly state that the hours worked. This form will need to be signed by your manager, added to CoreHR and returned to hr@learningat.uk.

5.22 Maternity Rights in the event of a still birth or a miscarriage

Stillbirth or miscarriage before the 25th week of pregnancy – In the unfortunate event a member of staff miscarries or has a stillbirth earlier than the 25th week of her pregnancy she will commence a period of sickness absence and be treated as any other member of staff who is absent due to sickness, including the payment of sick pay.

Stillbirth from 25th week of pregnancy onwards - In the unfortunate event a member of staff has a stillbirth from the 25th week of pregnancy onwards she will be eligible to full maternity scheme benefits.

Birth of a live child before the 25th week of pregnancy onwards - A member of staff who gives birth to a live child, even if the child later dies, at any point in her pregnancy will be entitled to full maternity scheme benefits. Further details can be obtained from the HR Department at hr@learningat.uk or telephone 01752 914028.

5.23 Pay Progression whilst on Maternity Leave

All staff on maternity leave are entitled to be considered for pay progression in the same way as other staff, whether or not they have returned to service at the date of the annual pay determination. In such cases, however, it is particularly likely that appraisal reviews may not have been completed and the Trust may not have any reviewer's recommendation to consider. Please see the Trusts Pay Policy for further information.

5.24 Right to Return to Work

Staff have the right to return to work following maternity leave subject to specific requirements depending on when they return.

If a member of staff returns after ordinary maternity leave (i.e. no more than 26 weeks), they have the right to return to the job they occupied before their maternity leave. If they have taken additional maternity leave (ie more than 26 weeks), they have the right to return to their original job unless this is not reasonably practicable, in which case they have the right to return to another suitable job, on terms no less favourable than the terms they enjoyed in their original job.

Where it is not practicable by reason of redundancy for the Trust to permit the member of staff to return to work in her job, the member of staff shall be entitled to be offered a reasonable suitable alternative vacancy where one exists. The duties in that post should be suitable for the member of staff and appropriate to the circumstances. Also, the capacity and place in which she is to be employed and her terms and conditions of employment should not be substantially less favourable to her than if she had been able to return to the job in which she was originally employed. Suitable alternative employment as described above may also be offered if exceptional circumstances other than redundancy (e.g. a general reorganisation), which would have occurred if the staff had not been absent, necessitate a change in the job in which she was employed prior to her absence.

Upon the member of staff's return to work she will be required to meet with her manager for a return to work meeting, to welcome her back to the work place, discuss any changes that may have taken place prior to her maternity leave. The manager will be required to complete a Notification of Return from Leave form and it may be necessary to undertake a further risk assessment at the start of first shift before any work duties.

You can go on maternity leave again if you get pregnant while you're already on maternity leave. You don't need to go back to work between your pregnancies. You'll need to check whether you can get maternity pay a second time, but apart from that you have the same rights as during your first pregnancy.

6. IVF

The process of IVF treatment typically takes between 4-7 weeks for one cycle. There is no statutory right for employees to take time off work to undergo investigations or treatment. Employees requiring time off for IVF treatment should speak to their manager and submit an application for leave of absence request.

Following implantation, the woman is regarded as pregnant from the point of implantation. If the cycle is successful, the woman is legally viewed as having a protected characteristic until the end of her maternity leave. If the treatment is unsuccessful, the protection ceases two weeks after the end of the pregnancy. A pregnancy test is taken two weeks after implantation and, if the test is negative, the protected period extends for a further two weeks. Whilst within the protected period, the employee is protected from dismissal or adverse treatment under the Equality Act 2010. Employees are encouraged to notify the HR Department when entering into an IVF cycle.

7. ADOPTION

This section sets out the Trust's entitlements for staff who are adopting a child, including notification requirements and rights to time off work.

If you are matched for adoption with a child, you may be entitled to either adoption leave or paternity leave. One parent cannot take both periods of leave, and it is up to you and your partner to decide who is the main adopter and so will take adoption leave. The main adopter's partner may be entitled to take paternity leave. You may also wish to refer to the Paternity Leave section.

Main adopters are entitled to a total of 52 weeks' leave. We have set out below all of your rights and obligations should you be matched for adoption. We would ask that you notify us as soon as possible of your situation so that we can ensure you are fully aware of all your entitlements and obligations.

7.1 Time off for adoption appointments

You are entitled to time off to attend adoption appointments in the period between notification of a match and the date of placement. For single adopters or the main adopter in a joint adoption, you are entitled to paid time off to attend up to five appointments, with a maximum of six and a half hours per appointment. The adopter's partner in a joint adoption will be entitled to unpaid time off to attend up to two appointments.

Where the time is paid, you will be paid at your normal hourly rate for this time.

If the main adopter's partner wishes to attend more than two adoption appointments, they should speak to their line manager who will consider the request at their discretion. This will be unpaid time off if granted.

7.2 Notification requirements for appointments

In order to take time off for adoption appointments, the Trust will require staff to provide confirmation of the following:

- Complete the Trust's Application for Leave of Absence request form stating that they would like to take time off and state whether this will be the paid or unpaid entitlement
- The date and time of the appointment
- That the appointment has been arranged by or at the request of the adoption agency.
- The member of staff must also complete the required forms prior to attending the appointment

7.3 Notification requirements for Adoption Leave and pay

You are required to give us notice, in writing, of your intention to take adoption leave within seven days of being notified by the adoption agency that you have been matched with a child, unless this is not reasonably practicable. The notice must specify:

- The date the child is expected to be placed with you; and
- The date you want the adoption leave to start.

You will need to complete the Adoption Leave and Pay request Form and you should provide the "matching certificate" from the adoption agency. The certificate will include basic information on matching and expected placement dates.

You are able to change your mind about the date on which you want your adoption leave to start providing you inform us at least 28 days in advance, unless this is not reasonably practicable.

We will write to you to notify you of the date on which you are expected to return to work if the full entitlement to adoption leave is taken, within 28 days of the date on which you notified us of your intention to take leave, or, if you have varied the date originally chosen to start adoption leave, within 28 days of the date on which adoption leave began.

7.4 Eligibility for Adoption Leave

You are entitled to 52 weeks' adoption leave from the commencement of employment and are eligible by providing the correct notification evidence of the adoption.

Adoption leave is not available in circumstances where a child is not newly matched for adoption, for example when a stepparent is adopting a partner's child/children. You must provide evidence that the adoption agency has provided notification of the agreement to the placement and evidence of the employee's agreement to the date of the placement.

Only one period of leave is available irrespective of whether more than one child is placed for adoption as part of the same arrangement. However, if an additional child is adopted at a later date as a separate agreement, then you could qualify again for a separate period of adoption leave.

Employees will not qualify for either adoption leave or pay if they:

- Become a special guardian or kinship carer
- Adopt a stepchild or family member
- Adopt privately, for example without permission from a UK authority or adoption agency

7.5 Ordinary and additional Adoption Leave

Adoption leave is divided into two categories, 'ordinary' and 'additional'. Each is for 26 weeks, with additional leave following on from ordinary adoption leave, giving 52 weeks leave in total. If you are eligible for ordinary adoption leave you will also qualify automatically for additional adoption leave.

7.6 Commencement of Adoption Leave

You can choose to start your adoption leave on the date of the child's placement (whether this is earlier or later than was expected), or on a predetermined fixed date no earlier than 14 days before the expected date of placement and no later than the date of placement. Adoption leave can start on any day of the week.

Adoption leave can also start:

- When the child arrives in the UK or within 28 days of this date (overseas adoptions)
- The day the child's born or the day after (if you've used a surrogate to have a child)

7.7 Adoption pay – Eligibility

To qualify for Statutory Adoption Pay, you must:

- Have been continuously employed by your employer for at least 26 weeks by the week you were matched with a child
- Earn on average at least £123 a week (before tax)
- Give the correct notice
- Give proof of the adoption or surrogacy

7.8 Adopting a child from overseas

The requirements are the same if you are adopting from overseas, except you must have been continuously employed by the Trust for at least 26 weeks when you start getting adoption pay.

You must also sign form SC6 and return to HR. The form can be found and completed on the at gov.uk website, if you are adopting from overseas with a partner. This confirms you are not taking paternity leave or pay.

7.9 Surrogacy arrangement

The requirements are the same if you are in a surrogacy arrangement, except you must have been continuously employed by the Trust for at least 26 weeks by the 15th week before the baby's due. You must also:

- Intend to apply for a parental order

- Expect the order to be granted (for example because you do not have any convictions involving children, and the birth mother or father agree to the arrangement)

If you are genetically related to the child (the egg or sperm donor), you can choose to get paternity leave and pay instead. You cannot get both.

7.10 Fostering for adoption

If you are eligible for adoption pay and leave, they will be accessible from when the child comes to live with you.

7.11 Adoption pay

Staff may be eligible for one or more of the following payments depending on length of service and contractual term

Statutory Adoption Pay (SAP) – A member of staff is eligible for SAP providing she meets certain criteria. SAP payments are:

- First six weeks: 90% of average weekly earnings
- Next 33 weeks: flat rate SMP or 90% average weekly earnings whichever is lower. Current rates are available from <https://www.gov.uk/adoption-pay-leave/pay>

Occupational Adoption Pay (OAP) - This will depend on the member of staff's contractual terms and conditions, length of service and if they plan to return to work – please speak to HR for further details.

If you do not qualify for such a payment, you may, dependent upon your circumstances, be eligible to receive allowances from the appropriate government departments. If this is the case, payroll will send the member of staff a claim form to complete.

7.12 Occupational adoption pay repayment

Please refer Occupational Maternity Pay – Repayment with regards to the repayment of Occupational Adoption Pay.

7.13 Returning to work

If you are returning to work at the end of additional adoption leave, you should simply present yourself for work at the end of that period.

If you intend to return to work before the end of your additional adoption leave, you must give us at least eight weeks' notice of the date on which you intend to return. If you do not give us eight weeks' notice, we may postpone your return to a date ensuring that there has been eight weeks' notice.

Shortly before your return to work, we will be in touch with you to arrange an informal meeting with your manager. The aim of this meeting is to discuss your return and to ensure it is as smooth a transition back to work as possible. A return to work form will be completed by your manager upon your return to work.

You have the right to return:

- With your seniority, pension rights and similar rights
- On terms and conditions no less favourable than those which would have applied if you had not been absent.

You will not be subject to any detriment by the company because you took or sought to take adoption leave.

7.14 Pay progression whilst on Adoption Leave

All staff on adoption leave are entitled to be considered for pay progression in the same way as other staff, whether or not they have returned to service at the date of the annual pay determination. In such cases, however, it is particularly likely that appraisal reviews may not have been completed and the Trust may not have any reviewer's recommendation to consider.

Therefore pay decisions should be taken on the basis of the available information. This might include information from the most recent appraisal review or any part of the appraisal period when the member of staff was present.

Accrual of annual leave during adoption leave (non-term time staff)

See page 11 for details

Accrual of annual leave during adoption leave (term time staff only)

See page 12 for details

Accrual of annual leave during adoption leave (teaching staff only)

See page 12 for details

Pension contributions during adoption leave

See page 12 for details

Keeping in Touch Days

See page 13 for details

You can work for up to 10 KIT days during your adoption leave period without losing statutory payments for that week, or ending your entitlement to leave.

For this purpose any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the adoption leave period.

8. SURROGACY

Whilst the intended mother is not legally entitled to maternity leave in a surrogacy situation, intended parents in a surrogacy arrangement who are entitled and intend to make an application for a parental order, to become the child's legal parents, are entitled to paternity leave and pay, and adoption leave and pay (assuming the other relevant conditions are met, as specified within this policy). They will also be able to opt into the SPL system if the parent taking adoption leave chooses to bring the leave to an end early (as specified within the Paternity, Adoption and Shared Parental Leave (Parental Order Cases) Regulations 2014). Intended parents can request time off to attend antenatal appointments to enable them to accompany the birth mother and the application for leave of absence request should be followed in these circumstances. Staff should make every effort to make arrangements outside normal working hours, however, where this is not possible, an appointment should be made near the start or end of the working day. Paid leave will be granted. Adoption leave can start the day of the birth or the day after. Employees must notify the HR Department and their line manager at least 15 weeks before the baby is due that they intend to take adoption leave.

9. PATERNITY LEAVE

This section sets out the Trust's entitlements for staff to take time off work to support their partner who is on maternity or adoption leave.

9.1 Eligibility

Paternity Leave Following the Birth of a Child - Paternity leave is a statutory right for all staff as long they have met the eligibility criteria. You will meet the eligibility criteria for paternity leave if you:

- Are the child's father, the mother's husband or partner (whether of the same or different sex) or one partner in a couple who are both entitled to apply for, and propose to apply for, a Parental Order for the child
- Have been employed and performed work for the Trust for a minimum period of 26 weeks by the end of the 15th week before the expected week of childbirth (EWC)
- Will be or expect to be responsible for the child's upbringing, where you are the father, or expect to be mainly responsible for the child's upbringing where you are the mother's husband or partner but not the father of the child
- Have given the required notice of your intention to take leave • have not previously taken shared parental leave for the same child.

Paternity Leave Following Adoption - You will be eligible for paternity leave and pay on the adoption of a child if you:

- Will be or expect to be mainly responsible for the child's upbringing
- Are married to the child's adopter or the partner of the child's adopter (whether of the same or different sex)
- Have been employed and performed work for the Trust for a minimum period of 26 weeks by the end of the week the matching notification is given to the child's adopter
- Have given the required notice of your intention to take leave and, where requested, have provided evidence
- Have not previously taken shared parental leave for the same child.

9.2 Notification requirements

notify the Trust of your intention to utilise a period of paternity during or before the 15th week before the EWC.

Staff must inform their line manager of the following:

- The anticipated week of birth
- Whether you intend to use one or two weeks' leave
- The date you wish the leave to begin.

Staff are required to complete the Notification of Paternity Leave Form along with a copy of the MATB1 form and submit this form to HR. Alternatively, you can complete Statutory Paternity Pay and Leave Form SC3:

<https://www.gov.uk/government/publications/ordinary-statutory-paternity-pay-and-leavebecoming-a-birth-parent-sc3>. Print and send this to your School Office Manager.

As soon as reasonably practicable after birth, you must notify us of the actual date of birth in writing.

If you wish to change the date of your paternity leave after giving notice, you must provide an additional written notice requesting a variation to the leave. This notice must be provided at least 28 days in advance of the new start date of the leave period (or as soon as is reasonably practicable).

Paternity Leave Following the Adoption of a Child - Unless not reasonably practicable, you must notify the Trust of your intention to utilise a period of paternity within seven days of the date the matching notification is given to the child's adopter. Where this is not reasonable practicable, the notification must be provided to the Trust as soon as possible. Staff must inform their line manager of the following:

- The date the matching notification was given to the child's adopter
- The expected date of placement
- Whether you intend to use one or two weeks' leave
- The date you wish the leave to begin.

Staff are required to complete the Paternity Leave Form and submit this form to hr@learningat.uk.

9.3 Beginning Paternity Leave

Paternity leave lasts for a fixed period of one week or two consecutive weeks and must be taken within a period of 56 days after the expected week of confinement (EWC). You may not take individual days or separate weeks as paternity leave. Leave can be chosen to start:

- From the birth date or date of adoption (whether this date is sooner or later than anticipated) or
- On a specific day after the birth date or date of adoption (whether this day is sooner or later than anticipated) or
- From a specific date that is after the first day of the EWC (in birth cases and not adoption) or
- On a specific date, arranged in advance, that is after the expected placement date (in adoption cases).

If the child is born earlier than expected before the EWC, paternity leave must be taken:

- Within a period of 56 days from that date or
- Within a period of 56 days from the child's actual birth date.

If the same pregnancy results in more than one child being born, or more than one child is adopted in the same arrangement, the entitlement to paternity leave does not increase and only one period of leave can be taken.

9.4 Paternity pay

You may be entitled to receive Statutory Paternity Pay (SPP) for the period of paternity leave. SPP is paid at a specific rate set by the government each tax year, or at 90 per cent of your average weekly pay during the relevant period, whichever is lower. For details of the current SPP rate, for further information please see:

<https://www.gov.uk/paternity-payleave/pay>

In order to meet the eligibility criteria for SPP, average weekly earnings for the relevant period must be equal to or higher than the specific lower earnings limit set by the government each tax year. The relevant period is:

- The period of eight weeks which ends immediately before the 14th week before the EWC (in birth cases) or
- The period of eight weeks which ends immediately before the week where the matching notification was given to the child's adopter (in adoption cases).
- Have been continuously employed by the Trust for at least 26 weeks up to any day in the 'qualifying week'.

Dependent on your individual circumstances, you may be entitled to receive additional financial support. You should attend your local social security office (Department for Work and Pensions) to receive further information on this.

9.5 Contractual benefits

Whilst on paternity leave, you continue to be entitled to receive your normal terms and conditions of employment, other than wages or salary (unless expressly stated otherwise in your employment contract). You may be entitled to receive payment of SPP for this period, as set out above.

Your contract of employment continues during paternity leave. As such, any contractual obligations continue to apply during your leave and you remain bound by these.

9.6 Returning to work

Following your two weeks' paternity leave, you have the right to come back to the same job role. The act of requesting or taking paternity leave will not cause you to suffer any disadvantage in the workplace.

If you wish to change your working hours following paternity leave, the Trust will consider each request on an individual basis in line with flexible working request. Requests should be submitted in writing to the employee's manager.

You should discuss with your line manager, as early as possible, where you are planning on not returning to work. Resignation should be notified to your line manager, in writing, as set out in your employment contract.

9.6.1 Shared Parental Leave

Following paternity leave, you may be entitled to take further periods of leave under the Shared Parental Leave scheme. Full details on Shared Parental Leave, including how to apply are in the Shared Parental Leave section of this policy.

Once a period of Shared Parental Leave has been taken in respect of a child, paternity leave cannot be taken for the same child.

9.7 Other rights when you and your partner are having a baby or adopting a child

Staff have the statutory right to attend two pregnancy-related ('antenatal') or adoption appointments with your partner if you are:

- The biological father

- Expected mother/adopter's spouse or civil partner
- The secondary adopter and have been matched with a child
- To be a parent through surrogacy and will be applying for a parental order

You can take a maximum of 6.5 hours for each appointment, including travel to and from the appointment.

If these appointments fall during working hours, time off shall be paid at the normal rate.

If you want to go to more appointments, you will need to discuss this your manager and seek their approval. Additional time will be unpaid, and therefore, consideration should be given to either using time in lieu, make the time up, annual or unpaid leave, where applicable.

Staff are expected, where possible to attend work prior to, or return to work following, such appointments.

9.7.1 Notification

Staff should notify their line manager of the time of the ante-natal appointment or adoption meeting giving as much notice as possible. Staff will be required to complete an application for leave request form and will be required to provide evidence of the appointment time.

10. SHARED PARENTAL LEAVE

This section sets out the staff's entitlement to take Shared Parental Leave (SPL), an explanation of the available entitlements and the procedures employees should follow in order to take leave. SPL may be taken in the case of both births and adoptions. This policy uses the word 'parent' to describe staff in both birth and adoption circumstances.

Any member of staff wishing to take SPL should inform their line manager at the earliest possible opportunity so that their entitlement can be explained to them. Due to the flexibility of the SPL system, it is essential that employees understand the procedural requirements involved in taking such leave.

The essential features of SPL are:

- Eligible staff will be able to bring maternity leave to an early end and share the remaining leave entitlement
- Eligible staff will have a certain amount of flexibility to decide which parent takes leave and when, including being on leave at the same time
- The maximum amount of leave to be shared is 50 weeks
- Leave may be taken in minimum blocks of one week
- Eligible staff may make up to three requests for leave, including any changes to previously booked leave
- A request for a continuous period of leave becomes fixed
- A request for discontinuous leave is subject to agreement with your line manager.

Contract hr@learningat.uk to request an SPL notification form.

10.1 Eligibility requirements

In order to take SPL, both the member of staff and their partner must meet certain eligibility criteria.

You must:

- Be the mother, father, or main adopter of the child, or the partner of the mother or main adopter
- Have 26 weeks' service at the end of the 15th week before the expected week of childbirth (ewc)
- Have a partner who meets the employment and earnings test (see below)
- Share the primary responsibility for the child with the other parent at the time of the birth
- Have made the required notifications in respect of their entitlement and have provided the necessary declarations and evidence
- Be working for the trust until the week before any leave is taken.

10.2 Employment and earnings test

Your partner must have, in the 66 weeks before the EWC, worked for at least 26 weeks and earned on average at least £30 a week in any 13 weeks.

10.3 Amount and timing of SPL

Parents cannot take more than 52 weeks of leave in total made up of maternity or adoption leave and shared parental leave, but excluding paternity leave, which is a standalone entitlement.

Mothers are not able to share compulsory maternity leave entitlement of two weeks. This is a statutory requirement enabling the member of staff to recover from the birth and is to be taken exclusively by her. Correspondingly, adopters may share a maximum of 50 weeks' leave.

SPL can only be taken in minimum blocks of one week; it is not possible to take a day's shared parental leave. The minimum amount that can be taken is one week.

10.4 Entitlement to Shared Parental Pay

Shared Parental Pay (ShPP) can be paid to both parents for a maximum of 37 weeks in total. This includes any weeks in which statutory maternity or adoption pay was received, and the timing of pay will be decided between the parents.

To be eligible to receive ShPP, you must:

- Have been continuously employed for at least 26 weeks up to and including the "qualifying week" (the 15th week prior to the expected week of childbirth or placement for adoption)
- Have average earnings not less than the lower earnings limit calculated over the eight weeks prior to the qualifying week
- Comply with the notification requirements.

Staff may be eligible for enhanced ShPP depending on their length of service, and their contractual terms and conditions. Please speak to HR department for further details regarding your contractual entitlement.

10.4 Notification requirements and the process

Step 1 – Curtailment Notice (ending maternity/adoption leave)

Maternity/adoption leave must be curtailed (ended early) if SPL is to be taken. The mother/main adopter must inform the Trust that maternity/adoption leave will be brought to an end by providing a curtailment notice at the same time as the notice of entitlement is provided (see below). The curtailment notice will give eight weeks' notice of leave (and pay if applicable) being brought to an early end.

The birth parent or primary adopter cannot restart maternity or adoption leave once they have returned to work.

A notice of curtailment can only be revoked in the following specific circumstances:

- Where it is discovered in the eight weeks following the notice that neither the mother/adopter nor their partner has any entitlement to shared parental leave or pay
- In the event of the death of the partner
- If the notice was given before the birth, and the mother revokes her maternity leave curtailment notice in the six weeks following the birth.

Step 2 – Notice of Entitlement

To create an entitlement to SPL, the member of staff must give a 'notice of entitlement'. Staff are required to give at least eight weeks' notice before any leave is to be taken. The member of staff will be required to complete the notification form detailing the following:

- How much maternity or adoption entitlement has been used
- How much leave and pay is left over from the maternity or adoption entitlement

- How much leave each parent wants to take
- When they want to take the leave
- The signature of both parents

The parent must also provide a declaration from the other parent that confirms at the time of the birth or adoption placement they:

- Share responsibility for the care of the child
- Meet the employment and earnings test
- Agree to the amount of spl and shpp given to the employee

Step 3 – Booking Leave

Although an indication of leave dates will have been given in previous notices, a period of leave is not fixed (unless stated to the contrary) until a period of leave notice is submitted.

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

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

It is important that all of the relevant information is provided according to the set timelines. If it is not, the Trust cannot guarantee that the leave will be granted.

There are two ways to take SPL:

- 'continuous' leave - Continuous leave will be suitable for most parents and allows for up to 3 blocks of SPL.
- 'discontinuous' leave - Discontinuous leave will be suitable when the parent wants to take blocks of SPL on and off throughout the year.

Step 4 – Confirmation of SPL and ShPP

If you request one continuous block of leave in a period of leave notice, you are entitled to take this period of leave and we will confirm the dates to you in writing.

However, if you request more than one period of leave i.e. discontinuous blocks of leave in one period of leave notice, the Trust will make a decision on whether this can be accommodated. A meeting will be arranged with your manager to discuss your request. HR may attend this meeting to provide support around the process. The outcome of the request will be one of the following:

- Agreement to the request
- Proposal of alternative leave dates or
- Refusal of the request.

If no agreement can be reached within 14 calendar days of the period of leave notice being submitted, the member of staff can either:

- Withdraw their request
- Take continuous leave instead.

Withdrawing their request on or before the 15th calendar day after they originally made it will not count as one of their three notices to book or vary leave.

Withdrawing their request after the 15th calendar day will count as a notice to vary leave. This means the employee would be using two notices in total.

If the employee lets their discontinuous leave request become continuous leave, within 19 calendar days of their original request they can either:

- Choose when the continuous leave will start (it cannot start sooner than 8 weeks from the date of the original leave request)
- Let the continuous leave start when the discontinuous leave would have started

10.5 Varying a period of leave

It is important to remember that each eligible parent has up to three opportunities to either:

- change the dates of booked SPL ('notice to vary leave')
- book a block of SPL ('notice to take leave')

Each time a member of staff cancels or changes booked SPL, it counts as a notice to vary leave.

To change ('vary') or cancel the dates of any SPL booked, the member of staff must give:

- 8 weeks' notice
- A 'notice to vary leave'

Your manager can ask you to change dates of booked SPL. If the member of staff agrees, this would not count as a notice to vary leave.

10.6 Shared Parental Leave in Touch ('SPLIT') days

During shared parental leave, you may work for up to 20 shared parental leave 'in touch' days (SPLIT days) without statutory payments being affected. We recognise the benefit of SPLIT days and encourage you to use them. However, they are optional and you are not obliged to use them and we are not obliged to permit them.

SPLIT days are designed to bridge the gap between a prolonged period of shared parental leave and the return to work, the idea being that they assist with easing the employee back into their working environment

You will be paid at normal rate for work on a SPLIT day, offset against any statutory payments. Any work done on one day will count as one SPLIT day.

Your entitlement to 20 SPLIT days is not affected by your entitlement to 10 KIT days during maternity or adoption leave.

10.7 Terms and conditions during SPL

You will continue to receive all contractual benefits (with the exception of salary) during SPL.

10.8 Returning from SPL

Employees who wish to amend the date on which they are to return to work after shared parental leave must give eight weeks' notice of the original end date and the new end date, whichever is earlier.

After SPL, provided the total amount of leave taken by you (including maternity leave) does not exceed 26 weeks, you are entitled to return to the same job on the same terms and conditions of employment as if they had not been absent.

When you are considering your return to work you may request a change to your previous working arrangements. Any such request will be considered in line with the Flexible working Policy, and there is no automatic right to return to work on altered conditions.

11. PARENTAL LEAVE

This section sets out staff's statutory entitlement to parental leave.

Staff must meet certain eligibility criteria in order to take Statutory Parental Leave, as follows:

- At least one year's continuous employment
- You have or expect to have parental responsibility for the child
- The child is under 18 years of age
- Leave is taken before the child's 18th birthday
- Compliance with requests to produce evidence of entitlement.

Parental leave is unpaid and the maximum entitlement is 18 weeks leave (pro rata for parttime staff) for each child, in total.

Parental leave should be taken in blocks of a week or multiples of a week, and should not be taken as "odd" days off, unless your manager agrees otherwise or the child is disabled.

Staff cannot take off more than four weeks during a year per child. A week is based on the member of staff's working pattern.

A member of staff must give at least 21 days written notice of the period during which parental leave is requested. Staff who wish to request parent leave are required to put their request in writing to the headteacher/line manager.

If a father/partner wishes to take parental leave following the birth of a child (in addition to paternity leave), they are required to give at least 21 days' notice to their employer, stating the expected week of commencement of the parental leave and the duration of that leave.

In the case of adoption, a parent must give at least 21 days' notice stating the week in which they expects to adopt the child. The duration of the leave must also be stated.

Prior to approving the first request for parental leave the school will need to see the birth certificate, adoption paper or proof of disability living allowance.

The Line Manager is able to require a staff member to postpone their parental leave for up to six months, where the school cannot accommodate this request. Notice of postponement will be given no more than seven days after the request and will state the reasons for postponing the parental leave and when it can be taken. The leave must be granted for the same period as the original request and will begin on a date determined by the Line Manager, after consultation with the member of staff and be not more than six months after the date originally requested.

Parental leave cannot be postponed when the member of staff gives notice of parental leave to be taken immediately after the birth of their child or at the time of adoption.

The Trust will accurately record when a staff member takes Parental Leave as new employers may seek a declaration of how much Parental Leave has been taken.

12. PARENTAL BEREAVEMENT LEAVE

We recognise that, while dealing with any bereavement is difficult, the death of a child is among the most devastating events that a member of staff can ever face. This section sets out our commitment to supporting bereaved parents through their grief by ensuring they can take parental bereavement leave. Further advice and support can be obtained from HR

This section applies to employees who suffer the loss of a child under the age of 18, including parents who suffer a stillbirth after 24 weeks of pregnancy.

12.1 Eligibility for Parental Bereavement Leave

Whatever your length of service, you can take this type of leave if you are the parent of the child who has passed away, or the partner of the child's parent. In general, you can take this type of leave if you have parental responsibility for the child. This includes adoptive parents.

If you have suffered a bereavement, but are unsure if you are entitled to parental bereavement leave, please contact the HR department for clarification.

12.2 Notice to take Parental Bereavement Leave

If you need to take parental bereavement leave within the first 56 days after your bereavement, you can take the leave straight away. You do not have to provide any notice. Please let your line manager know no later than when you are due to start work on the first day on which you wish to take leave or, if that is not feasible, as soon as you can. Your manager will notify HR of your leave.

To take leave more than 56 days after your bereavement, please give your line manager at least one week's notice.

12.3 Changing your mind about taking Parental Bereavement Leave

You can cancel your planned leave and take it at a different time (within the 56 weeks after your bereavement). Where your planned leave was due to begin during the first 56 days after your bereavement, please let your line manager know you no longer wish to take it before your normal start time on the first day of the planned leave.

Where your leave was due to begin more than 56 days after your bereavement, please let your line manager know at least one week in advance that you wish to cancel it.

You cannot cancel any week of parental bereavement leave that has already begun.

12.4 Pay during Parental Bereavement Leave

We recognise the need to provide bereaved parents with as much support as possible, and we will continue to pay normal pay during your leave, regardless of your length of service.

12.5 Rights During Parental Bereavement Leave

During your leave, all the terms and conditions of your contract will continue. For example, holiday entitlement continues to accrue. Pension contributions will continue to be paid.

12.6 Returning to work after Parental Bereavement Leave

When you return to work after parental bereavement leave, you generally have the right to return to the same job.

However, a slightly different rule applies if you return from time on bereavement leave that follows on immediately from maternity, adoption, paternity leave or shared parental leave (taken in relation to the child who has passed away), and your total time on leave is more than 26 weeks. In these circumstances, you have the right to return to the same job, unless this is not reasonably practical - in which case you have the right to return to a suitable and appropriate job on the same terms and conditions.

This rule also applies if your leave includes more than four weeks of ordinary parental leave (taken in relation to any child), regardless of the total length of the leave.

We recognise the need to provide bereaved parents with as much support as possible, and we will continue to pay normal pay regardless of your length of service for those attending bereavement counselling.

13. APPENDICES

13.1 Useful Links

[Maternity pay and leave: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/maternity-pay-and-leave-overview)

[Paternity pay and leave: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/paternity-pay-and-leave-overview)

[Adoption pay and leave: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/adoption-pay-and-leave-overview)

[Surrogacy: legal rights of parents and surrogates: Pay and leave - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/surrogacy-legal-rights-of-parents-and-surrogates-pay-and-leave)

[Shared Parental Leave and Pay: How it works - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/shared-parental-leave-and-pay-how-it-works)

[Unpaid parental leave: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/unpaid-parental-leave-overview)

[Statutory Parental Bereavement Pay and Leave: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/statutory-parental-bereavement-pay-and-leave-overview)