



BOHUNT
EDUCATION TRUST

Bohunt Education Trust

Parental Leave Policy

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1. Introduction

The Bohunt Education Trust (BET) Parental Leave policy has been drawn up to ensure that all employees receive their statutory entitlement with regards to parental leave, including maternity, paternity and shared parental leave.

In accordance to statutory rights, teaching staff may also be eligible for School Teachers' Pay and Conditions (STPCD) with regards to maternity and paternity benefits.

This policy should be read in conjunction with other relevant documents such as the STPCD, Conditions for Service for School Teachers' in England and Wales (Burgundy Book) and the National Agreement on Pay and Conditions of Service for support staff (the Green Book).

BET is committed to ensuring the health, safety and welfare of all employees, including pregnant and breastfeeding employees. The Trust also recognise that employees have protection against detriment, disadvantage, unfair treatment and dismissal arising from pregnancy, maternity, paternity or shared parental leave.

Employees are advised to read this document carefully, as failure to comply with certain requirements and procedures, could impact on their parental rights.

2. Scope

This policy and procedure applies to all employees of the Trust, full or part time, regardless of the number of hours that they work, providing qualifying conditions are satisfied, taking into account:

- Maternity Leave
- Maternity Benefits
- Time off for Antenatal Care
- Protection against detriment or dismissal
- Paternity Leave & pay
- Shared Parental Leave
- Adoption Leave & pay

Certain entitlements may be dependent on the length of service within the Trust.

In some instances, support staff entitlement will differ from teaching staff entitlement.

3. Responsibility of the Trust

To comply with statutory and contractual provisions relating to parental leave and pay.

To take due regard of health, safety and welfare of pregnant employees

To not disadvantage an employee for exercising their parental rights, including maternity.

4. Responsibility of the Employee

To comply with the notification arrangements and timescales set out in this document.

To maintain reasonable contact with the Headteacher/appropriate person and advise the school as soon as is practicable should their intentions regarding parental leave change.

5. Maternity Leave

Employees are entitled to take up to 52 weeks' maternity leave regardless of their length of service. This is comprised of the following:

- Ordinary Maternity Leave – 26 weeks
- Additional Maternity Leave – 26 weeks

Additional Maternity Leave must follow straight after Ordinary Maternity Leave.

Mothers do not have to take the full 52 weeks leave, but must take two weeks leave immediately after the birth of their baby. This will be part of the Ordinary Maternity Leave period.

Employees not entitled to Statutory Maternity Leave if they have a child through surrogacy, but may be entitled to unpaid parental leave or adoption leave.

5.1 Start date for maternity leave and early births

The earliest an employee can choose to start their maternity leave is 11 weeks before the expected week of childbirth (EWC).

If the employee is fit to do so, they can choose to continue working up until the date the baby is due (the date given by the GP or midwife on the MAT B1 certificate).

An employee may wish to change the start date of their maternity leave. If this is the case, the employee should discuss with their line manager, still giving at least 28 days' notice.

Leave will also commence:

- The day after the birth if the baby is early
- Automatically if the employee is off work for a pregnancy-related illness in the four weeks before the week (Sunday to Saturday) that their baby is due.

5.1.1 Secondary pregnancy whilst on current Maternity Leave

You are entitled to Ordinary and Additional Maternity Leave of 52 weeks for your new pregnancy, if you are currently on maternity leave.

Depending on your qualifying period for this pregnancy, will determine whether you are entitled to SMP and if you, how much.

It is worth noting that there may be a requirement for the OMP element, from the previous maternity leave, to be paid back to the employer should the OMP conditions not be met.

See 6.1.2 for further guidance on SMP for subsequent pregnancies whilst on maternity leave.

Further clarity and advice can be sought from the BET HR department.

5.2 Annual leave

Statutory leave continues to accrue during maternity leave. This is accrued on a pro rata basis for part time and term time only staff.

Teaching staff – are entitled to the statutory 28 days' leave per year and these must be taken during school holiday periods. The leave year runs from 1 September to 31 August. Any statutory leave you would have taken during the previous year will be carried forward and taken during school closures when the employee returns to work.

Support Staff – employees who work less than 52 weeks per year, are expected to take their statutory leave during the 13 week school holiday period.

Holiday pay is paid pro rata, each month.

In the unlikely event that an employee does not take their full entitlement before their maternity period begins, any remaining weeks shall be carried over to the following annual leave period and taken during school closure periods.

5.3 Sick Leave

If the employee is absent from work due to a non-pregnancy related sickness, normal sick pay applies up until the baby is born or the agreed date for finishing work, whichever is sooner.

If the absence is pregnancy related, sick pay will be paid up to the beginning of the fourth week before the expected week of childbirth.

5.4 Time off for ante-natal appointments

All pregnant employees have the right to paid time off work for their ante-natal care. This entitlement is regardless of length of service or number of hours worked per week. Ante-natal care is not restricted to medical examinations, for example, it could include, relaxation classes and parenting classes as long as these have been advised by a registered medical practitioner, midwife or health visitor.

You should inform your line manager of any appointments/time off required for ante-natal care. Ideally, appointments will be at the beginning or the end of the school day if possible. Should you be asked by your line manager, you must produce an appointment card or document showing that an appointment has been made.

5.5 Informing us you're pregnant

Employees are asked to inform their employer as soon as possible, stating also their intentions regarding maternity leave. Legally, employees should notify their employer by the 15th week before the expected week of childbirth that:

- they are pregnant
- expected week of childbirth
- and give at least 28 days' notice of the date on which they intend their maternity leave to commence

5.6 Evidence of Maternity

The employee should provide the employer with a MATB1 certificate issued by their Doctor/midwife, no later than the 15th week before EWC.

This certificate is required in order to confirm when the baby is due and to authorise maternity leave/pay.

The MATB1 is usually issued around the 20th week of pregnancy. If issued earlier than the 20th week of pregnancy, the certificate will be returned to the employee for the doctor/midwife to re-certify.

5.7 Health and Safety

The school/Trust will arrange for a workplace health and safety risk assessment to be undertaken. Any potential risks identified or reasonable adjustments to work/working conditions and/or working hours, will be considered as appropriate.

Consideration will be given in order to provide the pregnant employee with suitable rest facilities.

6. Maternity Pay

There are two main maternity pay schemes:

- The Statutory Maternity Pay (SMP) Scheme
- Occupational Maternity Pay (OMP) Scheme

The two differences between SMP and OMP schemes are:

- How payments are calculated
- What qualifying service you must have

6.1 Statutory Maternity Pay (SMP) Scheme

Qualification for SMP will depend on how long you have been working for the Trust. SMP can be paid for a maximum of 39 weeks. The rules concerning SMP are complex and details below are an overview of the scheme.

How to qualify

- You must have been employed for a period of at least 26 weeks' service at the 15th week before your EWC
- Have average earnings of more than the lower earnings limit for the payment of National Insurance contributions
- Still be pregnant at the 11th week before your expected week of childbirth or have already given birth.

6.1.1 Rates of SMP

If you qualify for SMP you will receive:

- During weeks 1 to 6 of your maternity leave period - 90% of your normal weekly earnings
- During weeks 7 to 39 of your maternity leave period, the standard rate will apply – whichever is the lower of your earnings related rate or the weekly rate as prescribed by the Government. The weekly rate is normally revised each year by the Government, and your HR department will be able to advise on this.

Other information regarding SMP

If you have a multiple birth you will only receive one payment of SMP.

Should your baby be born before your maternity leave is due to start, your SMP period will start from the day following the date of childbirth.

SMP payments will stop if you return to work before 39 weeks (except for KIT days).

6.1.2 'Back to back' maternity leave/SMP entitlement

Even though you will be entitled to maternity leave for your next pregnancy, you may not qualify for SMP unless your earnings are high enough in the calculation period for SMP.

The calculation period for SMP is the eight weeks (if you are paid weekly) or two months (if you are paid monthly) before the end of the qualifying week.

The qualifying week is the 15th week before the week your baby is due. Find the Sunday immediately before the day your baby is due and count back 15 weeks. That is your qualifying week. If your baby is due on a Sunday, count back 15 weeks from your due date.

If you are paid weekly, you count the qualifying week and the previous seven weeks. If you are paid monthly, you find the last monthly pay day before the end of the qualifying week and the one before that.

If your average earnings during the calculation period are lower than the Lower Earnings Limit of £113 (April 2017-April 2018), you will not qualify for SMP from your employer. If you are receiving SMP (for your first pregnancy) during your calculation period, SMP counts as 'earnings' for calculating your average earnings for your next pregnancy. Therefore, if the calculation period falls when you are receiving SMP or contractual maternity pay you will qualify for SMP the second time around.

If the calculation period falls during all or part of the last 13 weeks of unpaid Additional Maternity Leave or during a period of unpaid Parental Leave or Statutory Sick Pay, your SMP for your second period of maternity leave may be reduced or you may not qualify for SMP at all.

If you do not qualify for SMP, your employer should give you form SMP1 explaining why you do not qualify and you should apply for Maternity Allowance

For further information on Maternity pay and SMP, you can visit Gov.UK for further details.

6.2 Occupational Maternity Pay (OMP) Schemes

How to qualify:

Support Staff

- To qualify for OMP you must have at least one year's continuous service regardless of the number of hours worked, at the beginning of the 11th week before your EWC.

Staff on Teachers' Pay and Conditions

- To qualify for OMP you must have at least one year's continuous service as a teacher, at the beginning of the 11th week before your EWC.

In addition, for staff on the support staff pay and conditions or teacher pay and conditions, OMP will be made on the condition that you will be available, or able to return to work for a required period.

6.2.1 Continuous service

Continuous service is when an employee has worked for one employer without a break. Continuous service for occupational maternity pay is recognised from one local authority to another and will be carried over in any transfer of employment under TUPE regulations, e.g. during academy conversion. However, if an employee voluntarily changes employer in the maternity qualifying period or during the period of maternity leave, then their entitlement to maternity pay may be affected.

6.2.3 Occupational Maternity Payments

If you qualify for OMP you will receive:

Support Staff

- Weeks 1 to 6 (6 weeks) of your maternity leave period on 90% of your contractual pay, or 90% of your average weekly wage earnings, whichever is higher.
- Weeks 7 to 18 (12 weeks) of your maternity leave period on half of your contractual pay or average weekly earnings, whichever is lower. During weeks 7 to 18 you are also likely to be eligible to receive your standard rate of SMP in addition to our OMP, but only if you qualify for SMP.
- Weeks 19-39 (21 weeks) of your maternity leave period on SMP only, if you qualify for SMP.
- No pay for any remaining periods of maternity absence up to the date of return to work

Staff on Teachers' Pay and Conditions

If you qualify for OMP you will receive:

- Weeks 1 to 4 (4 weeks) of your maternity leave period on full contractual pay
- Weeks 5 and 6 (2 weeks) of your maternity leave period on 90% of your contractual pay
- Weeks 7 to 18 (12 weeks) of your maternity leave period on half your contractual pay. During weeks 7 to 18 you are also likely to be eligible to receive your standard rate SMP in addition to your OMP, but only if you qualify for SMP.
- No pay for the remaining periods of absence up to the date of return to work

6.2.4 Conditions relating to the payment of OMP

OMP is a contractual scheme and paid on the basis that you return to work for a set timescale following the birth of your baby.

Support Staff

OMP payments will be made on the understanding that you return to work for at least 3 months, after your maternity leave. If you do not return, and have received the OMP payments, you will be expected to repay this. The three months will start from your first day back to work. However, if an employee works for less than 52 weeks per year and should return to work during a school closure period, this will not count towards the 3 months return to work period.

There will be no requirement to repay SMP.

Staff on Teachers' Pay and Conditions

If employed on the teachers' pay and conditions and you are eligible to receive OMP, you will be required to work at least 13 weeks (full time equivalent) on your return to work. Failure to complete this time, may result in the employee being required to repay OMP payments received. You will not be required to repay any SMP payments received.

Periods of school closure are included within this timescale. However, in order for any return to work during the holiday period to count towards the 13 weeks, the employee should produce a medical certificate that indicates they are fit to return to work, indicating their return to work date. Normal pay will be restored from the date certified as medically fit.

6.3 Maternity Allowance

If an employee is not entitled to SMP, they may be entitled to Maternity Allowance which is payable directly from Jobcentre Plus/ DWP. If this is the case, the employee should contact the Department for Work and Pensions or their local Jobcentre Plus for further information.

6.4 Entitlement in the event of miscarriage or stillbirth

In the unfortunate event of miscarriage before or during the 24th week of pregnancy, an employee will not be able to claim statutory or contractual maternity benefits. Normal sick pay entitlements will apply for any resulting sickness absence in accordance with normal procedures and Compassionate Leave may also be granted.

Should the baby be born alive before or during the 24th week of pregnancy, but subsequently dies, or where still birth occurs from the beginning of the 25th week of pregnancy, statutory and contractual maternity provisions will still apply.

6.5 Leaving employment prior to maternity leave

Where an employee leaves employment with the Trust after the start of the 15th week (qualifying period) before expected week of childbirth, they will still be entitled to SMP. However, the following conditions apply:

- Where an employee leaves employment after the start of the qualifying period, but before the start of the 11th week before expected week of childbirth, SMP will start from the 11th week before the expected week of childbirth
- Where an employee leaves employment after the start of the 11th week before the expected week of childbirth, but before the maternity was due to start, SMP will be payable from the day after leaving employment

An employee who leaves employment before maternity leaves starts, will not be entitled to OMP, as their contractual relationship with the school/Trust will have ceased. Similarly, if an employee leaves employment during maternity leave, OMP will stop on the last day of service. Due to OMP payments being made on the understanding the employee will return to work for a set period of time, the employee may be required to repay any overpayments of OMP.

Any employees considering leaving employment, are advised to speak with the HR department in order to determine the impact this may have on their maternity benefits.

Any notification of resignation, should be made in writing and addressed to the Headteacher.

7. Pension Contributions

Employees in receipt of maternity pay will continue to pay pension contributions (if applicable) and these will be deducted in the usual way. Pension contributions will be based on the amount of salary received during the maternity period. Therefore, during periods where no pay is received, pension contributions will cease during this time.

Support Staff

Members of the LGPS will be given the option to pay back pension contributions for the period of unpaid maternity leave on their return to work.

Teachers

If the employee is receiving contractual or statutory pay, their pensionable service will increase. Contributions will be paid based on the pay the employee receives while absent.

If the employee is not receiving any pay, they will become a deferred member of the Scheme. On return to work, the employee will be auto enrolled back into the pension scheme.

8. Childcare vouchers

Childcare vouchers operate via a salary sacrifice scheme, where a deduction is made from the employee's salary, in return for an equivalent value of childcare vouchers on which no tax and National Insurance is payable.

As SMP is calculated on the basis of the employee's average earnings, their SMP will be based on the employee's post sacrifice salary, if the employee receives childcare vouchers during the qualifying period. Therefore, the employee may wish to temporarily withdraw from the scheme during that time.

The calculation period for SMP is the eight weeks (if you are paid weekly) or two months (if you are paid monthly) before the end of the qualifying week. The qualifying week is the 15th week before the week your baby is due. Find the Sunday immediately before the day your baby is due and count back 15 weeks. That is your qualifying week. If your baby is due on a Sunday, count back 15 weeks from your due date. If you are paid weekly, you count the qualifying week and the previous seven weeks. If you are paid monthly, you find the last monthly pay day before the end of the qualifying week and the one before that.

9. Returning to work

Employees should notify the Headteacher of the date they intend to return to work.

Unless informed otherwise, it will be assumed that the employee will return to work the day after the end of the 52 weeks' maternity leave period.

This date will be confirmed before commencing maternity leave. An employee will not receive any further notification and it is expected that they will return to work on this date.

9.1 Returning to work early

To return to work early, you will be expected to give the appropriate number of days' written notice to the Headteacher. If this is not received, your return to work may be postponed by the number of days' notice required or to the end of the maternity leave period, whichever is sooner.

Staff on teachers' pay and conditions are expected to give at least 21 days' notice of their return to work.

Support staff are required to give 8 weeks' notice of their return to work, as per the Work and Families Act 2006.

9.2 Nature of right to return

Right to return to the same job	<ul style="list-style-type: none"> ▪ Ordinary Maternity Leave (OML) ▪ Parental Leave of four weeks or less ▪ OML plus Parental Leave of four weeks or less (or Parental Leave of four weeks or less followed by OML) ▪ SPL where your total leave adds up to 26 weeks or less on aggregate (you have to include any periods of SPL and maternity leave taken in respect of this baby).
Right to return to the same job or, where it is not reasonably practicable, to a suitable alternative job	<ul style="list-style-type: none"> ▪ OML plus Additional Maternity Leave (AML) ▪ Parental Leave of four weeks or more ▪ OML plus Parental Leave of four weeks or more ▪ OML/AML followed immediately by a second period of OML or Parental Leave of any length ▪ OML/AML followed immediately by OML/AML ▪ SPL where your total leave adds up to more than 26 weeks on aggregate (including any periods of SPL and maternity leave taken in respect of this baby).

You should note that if you take OML and AML for your first pregnancy, immediately followed by a second period of OML, you do not have the right to return to exactly the same job as you normally would have following OML. If the second period of OML is immediately after a previous period of AML, your rights on return are the same as when you are returning from AML. If you return to work for a day or more in between the first AML and second OML you will have the right to return to exactly the same job.

If you return to the same job, you are entitled to receive the same terms and conditions that applied immediately before your leave began. If you are offered a suitable alternative job, you are entitled to be offered similar terms and conditions that are not substantially less favourable than your terms and conditions in your previous job. Throughout OML/AML and Parental Leave your seniority, pension and other service-related rights should remain as they would have been if you had not been absent from work.

9.3 Keeping in Touch days (KIT)

This provision is designed to aid the employee's return to work and to make it easier for the employee to keep in touch with their line manager, keep up to date with the work environment, attend training and development activities or to prepare for return from leave.

Any work to be undertaken during a KIT day, will be under the direction of the employee's line manager.

- The employee can have up to 10 KIT days.
- KIT days can be worked consecutively or on a more ad-hoc basis
- There is no obligation to offer/undertake KIT days for either the employer or the employee

- Payment for KIT days are inclusive of any SMP/Maternity Allowance, on the proviso that the employee does not earn in that week, more than they would have earned per week should they have not been on maternity leave
- KIT days cannot be taken during the first two weeks immediately after childbirth

9.4 Request for part time/flexible hours

An employee may make a reasonable request to adjust their working hours/pattern of work at the point of return from maternity leave. The Headteacher/ line manager will give this request serious consideration, taking into account the needs of the school/Trust. However, the school/Trust are not legally obliged to agree to any change of hours/working pattern requests. If the request is declined, an explanation will be given to the employee, explaining the rationale for the decision.

Any reduction in hours, on the return to work, will impact on the length of time the employee is required to work in order to meet the criteria of the OMP already paid. Thus meaning that the employee will have a longer period of service (equating to 13 weeks of full-time service) once they have returned.

9.5 Facilities at school for breastfeeding mothers

If an employee is breastfeeding at the point of returning to work, they are advised to discuss the provisions required with their line manager or the HR department if deemed more suitable. Any requests will be considered in line with the Advisory, Conciliation and Arbitration Service (ACAS) guidelines.

<http://www.acas.org.uk/media/pdf/2/i/Acas-guide-on-accommodating-breastfeeding-in-the-workplace.pdf>

10. Paternity Leave

10.1 Eligibility

Paternity leave is available to employees who:

- Have or expect to have responsibility for the child's upbringing
- Are the biological father of the child or the mother's husband or partner (including same sex relationships)
- Have worked continuously for their employer for 26 weeks ending with the 15th week before the baby is due, or the end of the week in which the child's adopter is notified of being matched with the child (UK adoption), or the date the child enters the UK (overseas adoptions)

10.2 Paternity Schemes

There are two main paternity schemes:

- Statutory Paternity Pay Scheme – funded by the Government.
- Occupational Paternity Pay Scheme – determined by the conditions of service which govern your employment based on your contractual pay.

The differences between the two schemes are:

- How payments are calculated
- What qualifying service you must have

If the employee is entitled to OPL they will also be entitled to receive Statutory Paternity Pay (SPP) if they earn more than the lower earnings limit for the payment of National Insurance contributions. SPP will be paid in the same way as the employee receives their salary.

Should the employee earn less than the lower earnings limit for National Insurance purposes the employee will not qualify for SPP but may instead take Maternity Support Leave (MSL).

10.3 Maternity Support Leave (MSL)

This applies to both childbirth and adoption of a child.

MSL is granted time off if the employee does not have the qualifying service of 26 weeks' continuous service to be eligible for paternity leave but have been nominated by the mother/adopter as the primary provider of support. MSL is to allow the partner to offer support to the mother at around the time of childbirth or placement for adoption.

The employee must provide a copy of the mother's MATB1 or the original Matching Certificate provided by the adoption agency.

If granted, the employee can request up to 5 days paid time off, as agreed.

Staff on School Teacher's Pay and Conditions (STPC) are not entitled to maternity support leave.

10.4 Occupational Paternity Pay Entitlements

Week	Entitlements
1	OPP – 100% contractual weekly pay
2	SPP – 90% pay or SPP flat rate, whichever is lower

10.5 Deductions from Paternity Pay

Payments made under the statutory or occupational paternity pay schemes are treated as earnings and therefore subject to tax and NI contributions.

Pension contributions will continue to be made whilst receiving occupational or statutory paternity pay.

10.6 Notifying us of your intention to take Occupational Paternity Leave (OPL)

In cases of childbirth:

The employee must notify the employer their intention to take OPL and claim paternity pay, in or before the 15th week of expected childbirth. If this is not possible, then notice should be given as soon as reasonably practicable.

The employee must notify the employer of:

- Intention to take OPL
- The expected week of childbirth
- Whether the employee wishes to take one or two consecutive weeks' leave
- When the employee would like their OPL and pay to start

You can choose to start your OPL from:

- The date of the child's birth (whether this is earlier or later than expected), or
- A chosen number of days or weeks after the date of the child's birth, not exceeding 56 days (8 weeks) from the date of birth (whether earlier or later than expected), or
- A predetermined date later than the first day of the expected week of childbirth, not exceeding 56 days (8 weeks) from the date of birth

In cases of adoption:

The employee should notify their employer their intention to take OPL and claim paternity pay, not later than 7 days after the date upon which you have been formally notified that the adopter has been matched with a child. If this is not possible, notice should be given to the employer as soon as reasonably possible.

The employee must notify the employer of:

- Their intention to take OPL
- The date upon which the child is to be placed with the adopter
- The date upon which the adopter was notified of having been matched with a child
- Whether they wish to take one week or two consecutive weeks' OPL
- When they wish for the OPL and pay to start from

The employee can choose to start their OPL from:

- The date of the child's adoption (whether this is earlier or later than expected)
- A chosen number of days after the child's adoption date, not exceeding 56 days (8 weeks) since the date of placement (whether this is earlier or later than expected)
- A predetermined date later than the first day of the date of placement, not exceeding 56 days (8 weeks) from the date of placement.

10.7 Length of Ordinary Paternity Leave

Employees will need to take their paternity leave within 56 days of the actual date of birth of the child. Paternity leave can't start until the birth of the baby; employees may be able to take some annual leave before.

A period of Paternity leave when adopting a child can start:

- On the date of placement
- An agreed number of days after the date of placement
- On the date the child arrives in the UK or an agreed number of days after (for overseas adoption)
- The day the child is born or the day after for surrogate parents

11. Shared Parental Leave

11.1 What is Shared Parental Leave (SPL)?

Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. The purpose of this is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible employees have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay. This policy sets out the statutory rights and responsibilities of employees who wish to take statutory Shared Parental Leave (SPL) and statutory Shared Parental Pay (ShPP).

Bohunt Education Trust recognises that, from time to time, employees may have questions or concerns relating to their shared parental rights. Employees should clarify the relevant procedures with BET HR department to ensure that they are followed.

11.2 Who is eligible for Shared Parental Leave?

SPL can only be used by two people:

- The mother/adoption and
- One of the following:
 - the father of the child (in the case of birth) or
 - the spouse, civil partner or partner of the child's mother/ adoption.

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

Additionally, an employee seeking to take SPL must satisfy each of the following criteria:

- the mother/adoption of the child must be/have been entitled to statutory maternity/adoption leave or if not entitled to statutory maternity/adoption leave they must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have ended or given notice to reduce any maternity/adoption entitlements
- the employee must still be working for the Trust at the start of each period of SPL
- the employee must have a minimum of 26 weeks' service at the end of the 15th week before the child's expected due date/matching date
- the employee's partner must meet the 'employment and earnings' test and the employee must correctly notify Bohunt Education Trust of their entitlement and provide evidence as required.
- employees can check their entitlement via:
www.gov.uk/shared-parental-leave-and-pay/eligibility

11.3 The Shared Parental Leave entitlement

Eligible employees may be entitled to take up to 50 weeks SPL during the child's first year in their family. The number of weeks available is calculated using the mother's/adoption's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement, then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

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

If the mother/adopter is not entitled to maternity/adoption leave but is entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA), they must reduce their entitlement to less than the 39 weeks. If they do this, their partner may be entitled to up to 50 weeks of SPL. This is calculated by deducting from 52 the number of weeks of SMP, SAP or MA taken by the mother/adopter.

SPL can commence as follows:

- The mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child
- The adopter can take SPL after taking at least two weeks of adoption leave
- The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP).

Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then the mother/adopter's partner can take leave while the mother/adopter is still using their maternity/adoption entitlements.

SPL will generally commence on the employee's chosen start date specified in their leave booking notice, or in any subsequent variation notice (see "Booking Shared Parental Leave" and "Variations to arranged Shared Parental Leave" below).

If the employee is eligible to receive it, Shared Parental Pay (ShPP) may be paid for some, or all, of the SPL period (see "Shared Parental Pay" below).

SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption is lost.

11.4 Notifying the Trust of an entitlement to Shared Parental Leave

An employee entitled and intending to take SPL must give their line manager notification of their entitlement and intention to take to SPL, at least eight weeks before they can take any period of SPL. See appendix G.

Part of the eligibility criteria requires the employee to provide the employer with correct notification. Notification must be in writing and requires each of the following:

- the name of the employee
- the name of the other parent
- the start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of SPL available
- the date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption
- the amount of SPL the employee and their partner each intend to take
- a non-binding indication of when the employee expects to take the leave

The employee must provide the Trust with a signed declaration stating:

- that they meet, or will meet, the eligibility conditions and are entitled to take SPL

- that the information they have given is accurate
- if they are not the mother/adopter they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/adopter
- that should they cease to be eligible they will immediately inform the Trust

The employee must provide the Trust with a signed declaration from their partner confirming:

- their name, address and national insurance number (or a declaration that they do not have a national insurance number)
- that they are the mother/adopter of the child or they are the father of the child or are the spouse, civil partner or partner of the mother/adopter
- that they satisfy the 'employment and earnings test' (see "Who is eligible for Shared Parental Leave?" above), and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee
- that they consent to the amount of SPL that the employee intends to take
- that they consent to the Trust processing the information contained in the declaration form
- (in the case whether the partner is the mother/adopter), that they will immediately inform their partner should they cease to satisfy the eligibility conditions

11.5 Booking Shared Parental Leave

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 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 discontinuous 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.

Discontinuous leave notifications

A single notification may also contain a request for two or more periods of discontinuous 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 Trust 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.

The Trust will consider a discontinuous 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.

11.6 Responding to a Shared Parental Leave notification

All notices for continuous leave will be confirmed in writing, in normal circumstances, within a reasonable time frame.

All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the employee and to the Trust against any adverse impact to the business.

Each request for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

The employee will be informed in writing of the decision as soon as is reasonably practicable. The request may be granted in full or in part: for example, the Trust may propose a modified version of the request.

11.7 Terms and conditions during Shared Parental Leave

During the period of SPL, the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary.

Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid SPL.

If a discontinuous leave pattern is refused, then the employee may withdraw the request without detriment on or before the 15th day after the notification was given; or may take the total number of weeks in the notice 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.

11.8 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 the Trust 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 Trust 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 Trust.

11.9 Contact during Shared Parental Leave

Before an employee's SPL begins, the Trust will discuss the arrangements for them to keep in touch during their leave. The Trust reserves the right in any event to maintain reasonable contact with the employee from time to time during their SPL.

i. Shared Parental Leave in Touch days (SPLIT)

An employee can agree to work for the Trust (or attend training) for up to 20 days during SPL 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" or "SPLIT" days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.

The Trust has no right to require the employee to carry out any work, and is under no obligation to offer the employee any work, during the employee's SPL. Any work undertaken is a matter for agreement between the Trust and the employee. An employee taking a SPLIT day will receive full pay for any day worked. If a SPLIT day occurs during a week when the employee is receiving ShPP, this will be effectively 'topped up' so that the individual receives full pay for the day in question. Any SPLIT days worked do not extend the period of SPL.

ii. Returning to work after Shared Parental Leave

The employee will have been formally advised in writing by the Trust 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 the Trust otherwise. If they are unable to attend work due to sickness or injury, the Trust's normal arrangements for sickness absence will apply.

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 the Trust 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 Trust does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so.

11.10 Statutory Shared Parental Pay (ShPP) & Adoption Pay

Eligible employees may be entitled to take up to 39 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adoption pay period or maternity allowance period. The mother must take two weeks' maternity leave following the birth of the child, thus reducing the shared entitlement to 37.

BET strives to be an exemplar employer. Therefore, BET employees (mother and partner) requesting ShPP, and Adoption Leave will be entitled to the same pay and benefits as mothers taking maternity leave.

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 mother/adoption pay 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. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL.

In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:

- the start and end dates of any maternity/adoption pay or maternity allowance
- the total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP
- a signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the Trust should they cease to be eligible

It must be accompanied by a signed declaration from the employee's partner confirming:

- their agreement to the employee claiming ShPP and for the Trust to process any ShPP payments to the employee
- (in the case whether the partner is the mother/ adoption pay) that they have reduced their maternity/adoption pay or maternity allowance
- (in the case whether the partner is the mother/ adoption pay) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

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

12. Adoption

12.1 Adoption Leave

An employee who adopts a child through an approved adoption agency is entitled to up to 52 weeks' adoption leave from day one of his/her employment. The employee's entitlement is to take up to 26 weeks' ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave. The employee's maximum entitlement is therefore to take up to 52 weeks' adoption leave.

All employees who take adoption leave have the right to return to work at any time during either ordinary adoption leave or additional adoption leave, subject to their following the correct notification procedures as set out below.

Parents who will become the legal parents of a child under a surrogacy arrangement are entitled to take statutory adoption leave. Local authority foster parents who are also prospective adopters ("foster to adopt") are entitled to take adoption leave.

12.2 Adoption Pay

Please see point 11.10

Employees who take adoption leave will also qualify for statutory adoption pay, provided that they have 26 weeks' service calculated as at the week in which notification of matching was given by the adoption agency and have average weekly earnings not less than the lower earnings limit for national insurance contributions. Statutory adoption pay is payable for up to 39 weeks.

Adoption pay is payable at 90% of normal earnings for the first six weeks, following which it is payable at the rate set by the Government for the relevant tax year (or 90% of normal earnings, if that is lower than the Government's rate)

Adoption pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

12.3 Notification of intention to take leave

Adoption leave can start on the day the child is placed for adoption, or up to 14 days earlier.

To make administration as easy as possible, the employee should discuss the timing of his/her adoption leave with the Headteacher or his/her immediate manager as early as possible.

To be entitled to take adoption leave and receive statutory adoption pay, the employee is required to give the Trust written notification of his/her intention to take adoption leave no later than seven days after the date on which notification of the match with the child was provided by the adoption agency. Notice must be in writing and must specify the date the child is expected to be placed with the employee for adoption and the date the employee intends his/her adoption leave to start.

The employee is permitted to bring forward his/her adoption leave start date, provided that he/she advises the Trust in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone his/her adoption leave start date, provided that he/she advises the Trust in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

The employee must also provide evidence of entitlement to adoption leave and pay by producing a "matching certificate" from the adoption agency. Within 28 days of receiving the employee's notice of intention to take

adoption leave, the Trust will write to the employee confirming the latest date on which the employee must return to work after adoption leave.

12.4 Time off to attend adoption appointments

Employees who are adopting a child are entitled to take time off to attend adoption appointments.

An employee adopting a child alone is entitled to take paid time off to attend up to five adoption appointments. Where an employee is part of a couple jointly adopting a child, the couple can elect for one of them to take paid time off to attend up to five adoption appointments, the other can elect to take unpaid time off to attend up to two adoption appointments.

The purpose of the appointment is to enable the employee and his/her partner to have contact with the child (for example, to bond with him/her before the placement) and for any other purpose connected with the adoption (for example, to meet with the professionals involved in the care of the child).

The appointment must have been arranged by or at the request of the adoption agency. The time off must be taken before the date of the child's placement for adoption with the employee.

The Trust may ask the individual for proof of the date and time of the appointment and that the appointment has been arranged by or at the request of the adoption agency (for example, a letter or email from the adoption agency).

12.5 Rights during adoption leave

During ordinary adoption leave and additional adoption leave, all terms and conditions of the employee's contract except normal pay will continue. This means that, while sums payable by way of salary will reduce or cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue. Employees are encouraged to take any outstanding holiday due to them before the commencement of adoption leave.

Members of the Teachers' pension scheme will continue to have contributions paid (both employer and employee) for as long they continue to receive at least half pay or statutory family leave pay. Once half pay or statutory pay ceases then no contributions will be made until the member returns to pensionable employment.

Members of the local government pension scheme will pay contributions on any pay or allowances received (up to 39 weeks of SAP). An employee will pay contributions based on his/her actual pay. If he/she does not qualify for SAP and receives no pay, then no contributions will be payable.

This period of service counts as reckonable for pension purposes.

If the employee has any unpaid Additional Adoption Leave, it will not be reckonable for pension purposes. Employees can opt to pay arrears of contributions in order for this period of unpaid leave to count but they would need to arrange this within 30 days of their return to work.

12.6 Contact during adoption leave

The Trust reserves the right to maintain reasonable contact with employees during adoption leave. This may be to discuss employees' plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

12.7 Keeping-in-touch days

Employees can agree to work for the Trust (or to attend training) for up to 10 days during their adoption leave without that work bringing their adoption leave to an end and without loss of a week's statutory adoption pay. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

The Trust has no right to require employees to carry out any work and employees have no right to undertake any work during their adoption leave. Any work undertaken, and the amount of salary paid for any work done on keeping-in-touch days, is entirely a matter for agreement between employees and the Trust.

12.8 Returning to work after adoption leave

The employee may return to work at any time during ordinary adoption leave or additional adoption leave, provided that he/she gives the appropriate notification. Alternatively, the employee may take his/her full period of adoption leave entitlement and return to work at the end of this period. If the employee wishes to return before the full period of adoption leave has elapsed, he/she must give at least eight weeks' notice in writing to the Trust of the date on which he/she intends to return.

The employee has the right to resume working in the same job if returning to work from ordinary adoption leave. If the employee returns to work after a period of additional adoption leave, he/she is entitled to return either to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.

Failure to return to work by the end of adoption leave will be treated as an unauthorised absence unless the employee is sick and produces a current medical certificate before the end of the adoption leave period.

If the employee decides during adoption leave that he/she does not wish to return to work, he/she should give written notice of resignation to the organisation as soon as possible and in accordance with the terms of his/her contract of employment.

12.9 Transfer of adoption leave - Shared parental leave

Shared parental leave enables adopters to commit to ending their adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from adoption leave and opt in to shared parental leave and pay at a later date.

12.10 Adopting a child from overseas

To qualify for adoption leave and pay, an employee who adopts from overseas must have received written official notification issued by or on behalf of a relevant UK authority (usually the Department of Health) which confirms that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.

To receive adoption leave, and pay if eligible, the employee must produce the following evidence:

- a copy of the official notification at least 28 days before he/she wishes to claim Statutory Adoption Pay (SAP)
- further evidence of the date of entry, such as a plane ticket or copies of entry clearance documents, within 28 days of the child entering the UK.

13. Career Breaks

There are no laws that deal specifically with taking a career break – it is only an agreement between the employer and the employee.

The Headteacher will decide on the following criteria, depending on the individual school's needs:

- eligibility and notice periods
- how to apply and how long is allowed
- if the employment contract's terms and conditions continue – e.g. qualifying for pay increases

The employee should therefore receive in writing the agreed arrangements before a career break commences.

Employees can make arrangements to return to work after a career break but these agreements are not legally binding and it could mean ending the existing contract of employment, if this has not already ceased prior to taking a career break. Due to the arrangement not being legally binding, the employee is therefore unable to take legal action should the employer decide the employee is unable to return to their previous post or similar.

Appendix A Form MI - Notification of maternity leave and pay details

Full name _____

Home Address _____

Job title _____ Newly qualified teacher? Yes /No

Place of work _____

Personnel number(s) _____

Date you started work with BET _____

Date of continuous local government service _____

Contract type _____ Permanent / Temporary / Fixed Term

End date (if applicable) _____

Date on which your baby is due _____

Do you wish to: Take maternity leave Date _____Resign from post Date _____

Please indicate your intentions regarding Occupational Maternity Pay (OMP).

You may either:

1. **Receive your full entitlement to OMP** on commencement of your maternity leave. Please note that this payment will be recovered from you in the event that you do not return to work for a period of 3 months (for support staff) or 13 weeks or full time equivalent (for teaching staff).
2. **Suspend payment of the 12 weeks OMP** until you return to work. Please note that the payment will be made to you upon your return to work, but will be recovered from you in the event that you do not return to work for a period of 3 months (for support staff) or 13 weeks, or full time equivalent (for teaching staff).

Photocopy of my MAT BI Certificate is attached will follow

I confirm that I am pregnant and the above information is correct, I consent to Bohunt Education Trust processing this information and any relevant personal data for administrative purposes in relation to my pregnancy and my request for maternity leave and pay. I undertake that, as detailed in the Bohunt Education Trust's Parental Leave Policy, an element of Occupational Maternity Pay will be repayable to the Trust if I give notice to terminate my employment before returning from maternity leave or otherwise fail to complete the necessary period of work following maternity leave. If I am retired on health grounds or made redundant there will be no recovery of the financial assistance given to me, in other exceptional circumstances, I understand that consideration may be given to waiving in part or in total the requirement to repay the relevant element of OMP.

I acknowledge the right of Bohunt Education Trust to recover the sums due from any monies owed to me, e.g., final salary payment. If any further repayment of any sum is required, my HR caseworker will discuss repayment arrangements with me.

Signed (employee): _____ Date: _____

Signed (manager): _____ Date: _____

Manager print name:

Please return to the BET HR department as soon as possible (by the end of the 15th week before the expected week of childbirth and no later than 28 days before the date on which you intend maternity leave and pay to commence) with a copy to your manager for information.

Data Protection Act 1998 - we will only process your personal data in order to respond to your Maternity Leave Request, which will be treated confidentially. In general, it will be used for administrative, monitoring and statistical purposes.

Appendix B Form M4E — Early return from maternity leave (support staff only)

Full name

Home Address

Job title

Personnel number(s)

Place of employment

Date of return if earlier than AML end date

Please indicate your intentions regarding working hours:

1. I would like to return to my original working hours 2. I would like to return to work on different hours (complete section 3)

3. Working hours

Old weekly working hours

New weekly working hours

Signed employee:

Date:

Signed manager:

Date:

Manager print name

Please return to BET HR department as soon as possible but no later than the 5th day of the month in which you wish to return.

Data Protection Act 1998 - we will only process your personal data in order to respond to your Maternity Leave Request, which will be treated confidentially. In general, it will be used for administrative, monitoring and statistical purposes.

Appendix C Form M4E – Early return from maternity leave (teaching staff only)

Full name

Home Address

Job title

Personnel number(s)

Place of employment

Are you a newly qualified teacher? Yes / No

Date of return if earlier than AML end date

Please indicate your intentions regarding working hours:

1. I would like to return to my original working hours
2. I would like to return to work on different hours (complete section 3)
3. Working hours

Old fraction

New fraction

Signed employee:

Date:

Signed manager:

Date:

Manager print name

Please return to BET HR department as soon as possible but no later than the 5th day of the month in which you wish to return.

Data Protection Act 1998 - we will only process your personal data in order to respond to your Maternity Leave Request, which will be treated confidentially, In general it will be used for administrative, monitoring and statistical purposes.

Appendix D Form M4F — Notification of non-return from maternity/adoption leave

Full name

Home Address

Job title

Personnel number(s)

Place of employment

Date of resignation

If you are moving away please provide a forwarding address:

New Address

I understand that, under the terms of the Occupational Maternity Pay scheme if I have received 12 weeks OMP, this will be treated as an overpayment that must be repaid in full.

Signed employee:

Date:

Signed manager:

Date:

Manager
print name

Please return to BET HR department as soon as possible but no later than the 5th day of the month in which you wish to resign.

Data Protection Act 1998 - we will only process your personal data in order to respond to your Maternity Leave Request, which will be treated confidentially. In general, it will be used for administrative, monitoring and statistical purposes.

Appendix E Form PAT1 Application for Ordinary Paternity Leave and Pay (childbirth)

Full name _____

Home Address _____

Email address (optional) _____

Job title _____

Personnel number(s) _____

Place of employment _____

Date you started work with BET _____

Date of continuous local government service _____

Date on which your baby is due _____

The HMRC form SC3 is: attached will follow A copy of the MATBI Certificate is: attached will follow

I confirm that I wish to take paternity leave commencing on (within
56 days of the actual date of birth

For a total of _____ week(s) (either one or two weeks)

I note that I have a right to change my paternity leave and pay start date provided that I give at least 28 days notice of the change.

I confirm that the above information is correct and that I understand and accept the conditions of the BET Paternity Leave Policy. I also consent to Bohunt Education Trust processing this information and any relevant personal data for administrative purposes in relation to my request for Paternity Leave and Pay.

I confirm I have discussed my request with for paternity leave with my line manager.

Signed (employee): _____ Date: _____

Signed (manager): _____ Date: _____

Manager's name

Please return to the BET HR department as soon as possible (by the end of the 15th week before the expected week of childbirth and no later than 28 days before the date on which you intend maternity leave and pay to commence) with a copy to your manager for information.

Appendix F Form - Notification of Ordinary/Additional Adoption leave and pay details

Full name _____

Home Address _____

Job title _____ Newly qualified teacher? Yes /No

Place of work _____

Personnel number(s) _____

Date you started work with BET _____

Date of continuous local government service _____

Contract type _____ Permanent / Temporary / Fixed Term

End date (if applicable) _____

Date on which you were notified that
you had been matched with a child _____Date on which the child
will be/was placed with you _____A copy of the Matching Certificate is: attached will follow

I confirm that I wish to take:

Ordinary Adoption Leave of 26 weeks only Occupational and Additional Adoption Leave totalling 52 weeks

Please indicate your intentions regarding Statutory Adoption Pay, stating the date you wish this to commence:

I confirm that I am adopting a child and the above information is correct, I consent to Bohunt Education Trust processing this information and any relevant personal data for administrative purposes in relation to the adoption process and my request for adoption leave and pay.

Signed (employee):

Date:

Signed (manager):

Date:

Manager print name:

Please return to the BET HR department as soon as possible, ideally giving 28 days' notice where possible, to allow Statutory Adoption Pay changes to be made. In cases where this cannot be actioned, please notify HR as soon as possible. Employees must notify BET HR of their leave intentions within 7 days of being matched with a child.

Data Protection Act 1998 - we will only process your personal data in order to respond to your Adoption Leave Request, which will be treated confidentially. In general, it will be used for administrative, monitoring and statistical purposes.

Appendix G Form PAT2 — Application for secondary adoption leave and pay (partner)

Full name _____

Home Address _____

Job title _____

Personnel number(s) _____

Place of employment _____

Date you started work with BET _____

Date of continuous local government service _____

Date on which the adopter was notified that
they had been matched with a child _____Date on which the child
will be/was placed with the adopter _____The HMRC form SC4 is: attached will follow A copy of the Matching Certificate is: attached will follow

I confirm that I wish to take paternity leave commencing on (within 56 days of the actual date of placement)

For a total of _____ Week(s) (either one or two weeks)

I note that I have a right to change my paternity leave and pay start date provided that I give at least 28 days notice of the change.

I confirm that the above information is correct and that I understand and accept the conditions of the BET Parental Leave Policy. I also consent to Bohunt Education Trust processing this information and any relevant personal data for administrative purposes in relation to my request for Paternity Leave and Pay.

I confirm I have discussed my request with for paternity leave with my line manager.

Signed (employee):

Date:

Signed (manager):

Date:

Manager's name:

Please return to BET HR department as soon as possible (by the end of the 15th week before the expected week of childbirth and no later than 28 days before the date on which you intend maternity leave and pay to commence) with a copy to your line manager for information.

Appendix H – Forms for Shared Parental Leave

SPL forms (resulting from Maternity)

These are the forms needed by a mother and the person she will share Shared Parental Leave (SPL) with – known as the partner - to confirm eligibility and entitlement with their employers. The forms can also be used to confirm eligibility and entitlement to Shared Parental Pay (ShPP).

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

- To learn more about SPL and ShPP go to www.acas.org.uk/spl
- Parents should use the calculator at www.gov.uk/pay-leave-for-parents to find some of the information needed to complete these forms
- Parents and employers should keep a copy of any completed forms
- Some employers may provide their own standard forms for employees to use
- If the mother is in receipt of Maternity Allowance (MA), she will need to notify Jobcentre Plus to curtail this entitlement
- The earnings requirements mentioned are correct as of March 2015

Key abbreviations used in these forms:

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

Form ShPL 1: Curtailment of Maternity Leave and Pay (for Mother's Employer)

SECTION A: General (must be completed)	
Please accept this as my notice to curtail my maternity leave and/or SMP. This form is accompanied by notification that either I intend to take SPL and/or ShPP or that my partner intends to take SPL and/or ShPP. I understand that my maternity leave will end on the date given in Section B and that my SMP will end on the date given in Section C. I understand that I can only reinstate my maternity leave if I revoke this notice before the curtailment date given in Section B. I understand that I can only reinstate any SMP that I am eligible for if I revoke this notice before the end date given in Section C.	
Mother's surname	
Mother's first name(s)	
Child's expected date of birth	
Actual date of child's birth (if born)	
SECTION B: Curtailing maternity leave (must be completed)	
Date statutory maternity leave started/is intended to start	
Date statutory maternity leave will come to an end	
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends	
SECTION C: Curtailing maternity pay (only complete if claiming ShPP)	
Date SMP started/is intended to start	
Date SMP will come to an end	
Total number of weeks of SMP that will have been paid at the date that SMP ends	
SECTION D: Signature (must be completed)	
Signature of mother	
Date signed	

Form ShPL 2: Notification that Mother is intending to take SPL (for Mother's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Mother's surname	
Mother's first name(s)	
Partner's surname	
Partner's first name(s)	
Partner's address	
Partner's National Insurance number (State 'none' if no number is held)	
Child's expected date of birth	
Actual date of child's birth (if child not yet born I will provide this information as soon as reasonably practicable following birth and before I take any SPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) statutory maternity leave	
Date mother's statutory maternity leave ended (or will end)	
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends	
Date mother started (or intends to start) SMP or MA	
Date mother's SMP or MA ended (or will end)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	
SECTION C: Amount of SPL available (must be completed)	
Total number of weeks of SPL created (52 weeks less total number of maternity weeks taken and any SPL from a previous notice and revocation)	
Total number of weeks of SPL I (the mother) intend to take	
Total number of weeks of SPL my partner intends to take	
SECTION D: Indication of Mother's leave intentions (must be completed but is not binding)	
I (the mother) currently expect to take SPL as follows:	
<p>Note: It will usually be helpful to answer this in a "From... To..." format</p>	

SECTION E: Amount of ShPP available (only complete if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SMP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the mother) intend to take:	
Total number of weeks of ShPP my partner intends to take:	
I (the mother) currently expect to take ShPP as follows:	
Note: It will usually be helpful to answer this in a "From... To..." format	
SECTION F: Mother's declaration (must be completed)	
<p>The following points apply in all circumstances where a mother is entitled to maternity leave:</p> <ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take SPL • I have, or will have, been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due • I will remain employed with this employer until any period of SPL that I intend to take • I had (or will have) the main responsibility for the care of the child at the time of the child's birth (along with my partner who has made the declaration below) • I am entitled to maternity leave, my maternity leave period is reduced and the remaining weeks are now available as SPL • I will inform my employer immediately if I am no longer caring for my child • I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice • I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice • The information provided in this declaration is accurate and meets the notification requirements for SPL <p>The following points only apply if Section E has been completed:</p> <ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take ShPP • I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth • I am entitled to SMP in respect of the birth of our child, my maternity pay period is reduced and the period that remains is available as ShPP • I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL) • I intend to care for my child in the weeks I receive ShPP • I will remain employed with this employer until before the date of my first period of ShPP • I will immediately inform the person who will be paying ShPP if I revoke the curtailment of my SMP or MA • The information provided in this declaration is accurate 	
Signature of mother	

Date mother signed	
SECTION G: Partner's declaration (must be completed)	
<ul style="list-style-type: none"> • I am the father of the child, or at the date of the birth I was (or will be) the mother's spouse, the mother's civil partner and/or the mother's partner living with her and the child in an enduring relationship • I had (or will have) the main responsibility for the care of our child at the time of the birth (along with the child's mother) • I have been (or will have been) employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth • I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of childbirth • I consent to the amount of SPL which the mother intends to take, as set out in Section D above. • I consent to the mother's employer processing the information I have provided • I consent to the amount of ShPP which the mother intends to take, as set out in Section E above. • The information provided in this declaration is accurate 	
Signature of partner	
Date partner signed	

Form ShPL 3: Notice confirming that Partner is taking SPL but Mother is not (for Mother's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother) do not intend to take SPL (or ShPP where relevant) but that my partner will be.	
Mother's surname	
Mother's first name(s)	
SECTION B: Confirmation	
<ul style="list-style-type: none"> • I am either not entitled to SPL (or ShPP where relevant), or I do not intend to take SPL (or claim ShPP where relevant) • I declare that my partner has given notice to their employer to take SPL and/or ShPP. • I consent to my partner's intended claim for SPL and/or ShPP. 	
SECTION C: Signature (must be completed)	
Signature of mother	
Date signed	

Form ShPL 4: Notification that Partner is intending to take SPL (for Partner's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother's partner) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Partner's surname	
Partner's first name(s)	
Mother's surname	
Mother's first name(s)	
Mother's address	
Mother's National Insurance number (State 'none' if no number is held)	
Child's expected date of birth	
Actual date of child's birth (if child not yet born I will provide this information as soon as reasonably practicable following birth and before I take any SPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) maternity leave (if applicable)	
Date mother's maternity leave ended (or will end) (if applicable)	
Total number of weeks of maternity leave taken (or that will be taken) when maternity leave ends	
Date mother started (or intends to start) SMP or MA (if applicable)	
Date mother's SMP or MA ended (or will end) (if applicable)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	

SECTION C: Amount of SPL available (must be completed)	
The total number of weeks of SPL created depends on the mothers leave and pay entitlements:	
<ul style="list-style-type: none"> • If the mother was/is entitled to maternity leave and SMP/MA, the total created will be 52 weeks less any weeks maternity leave taken • If the mother was/is entitled to maternity leave but not to SMP or MA, the total created will be 52 weeks less any weeks maternity leave taken • If the mother was/is not entitled to maternity leave but was entitled to SMP/MA, the total created will be 52 weeks less any weeks of SMP/MA that was paid • If the mother previously revoked her curtailment notice any SPL that was taken by the partner must be deducted 	
Total number of weeks of SPL created (50 max)	
Total number of weeks of SPL I (the partner) intend to take	
Total number of weeks of SPL the mother intends to take (if applicable)	
SECTION D: Indication of Partner's leave intentions (must be completed but is not binding)	
I (the partner) currently expect to take SPL as follows:	
<p>Note: It will usually be helpful to answer this in a "From... To..." format</p>	
SECTION E: Amount of ShPP available (only complete if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SMP/MA taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the partner) intend to take:	
Total number of weeks of ShPP mother intends to take:	
I (the partner) currently expect to take ShPP as follows:	
<p>Note: It will usually be helpful to answer this in a "From... To..." format</p>	

SECTION F: Partner's declaration (must be completed)					
<p>The following points apply in all circumstances:</p> <ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take SPL • I am the father of the child, or at the time of the birth I was (or will be) the mother's spouse, the mother's civil partner and/or the mother's partner living with her and the child in an enduring relationship • I have been (or will be) continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due • I will remain employed with this employer until any period of SPL that I intend to take • I had (or will have) the main responsibility for the care of our child at the time of the child's birth (along with the child's mother who has made the declaration below) • I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice • I will give my employer the name and address of the mother's employer or a declaration that she does not have an employer if my employer asks for this within 14 days of the date of this notice • I will inform my employer immediately if I am no longer caring for our child or if my partner revokes her notice to curtail her maternity leave or SMP/maternity allowance period • The information provided in this declaration is accurate and meets the notification requirements for SPL <p>The following points only apply if Section E has been completed:</p> <ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take ShPP • I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth • I intend to care for my child in the weeks I receive ShPP • I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL) • I will remain employed with this employer until before the date of my first period of ShPP • The information provided in this declaration is correct <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Signature of partner</td> <td style="width: 50%;"></td> </tr> <tr> <td style="padding: 5px;">Date partner signed</td> <td></td> </tr> </table>		Signature of partner		Date partner signed	
Signature of partner					
Date partner signed					

SECTION G: Mother's declaration (must be completed)	
<p>The following points apply in all circumstances:</p> <ul style="list-style-type: none"> • I had (or will have) the main responsibility for the care of the child at the time of the birth (along with my partner who has made the declaration above) • I am entitled to maternity leave and/or SMP or MA in respect of the child and I have curtailed (or will curtail) my entitlement to maternity leave (or I have returned to work) and/or my entitlement to SMP or MA. • I have, or will have, been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of childbirth • I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of birth • I will immediately inform my partner if I revoke my notice to curtail my maternity leave or, if I am not entitled to maternity leave, my SMP or MA entitlement • I consent to my partner's intended SPL as set out in Section D above • I consent to my partner's employer processing the information I have provided • The information provided in this declaration is accurate and meets the notification requirements for SPL <p>The following points only apply if Section E has been completed:</p> <ul style="list-style-type: none"> • I am entitled to SMP or MA, and I have reduced (or will reduce) the SMP or MA period and the remainder will be available as ShPP • I consent to my partner's intended ShPP as set out in Section E above • I will immediately inform my partner if I revoke the reduction of my SMP or MA • I consent to the person who will pay ShPP to my partner or the child's father processing the information I have provided • The information provided in this declaration is correct 	
Signature of mother	
Date mother signed	