

Family and Parental Leave Policy

1.0 Introduction

Consortium Trust is committed to supporting employees in balancing work and family responsibilities by providing a fair, consistent and family-friendly approach to family-related leave.

This policy covers maternity, adoption and shared parental leave and sets out the relevant statutory and contractual entitlements, along with guidance to support employees and Leaders in managing family leave arrangements consistently across the Trust.

Further detailed information and guidance can be found in the links to the relevant policy or guidance document below:

- [Leave of Absence Policy / Guidance](#)
- [Flexible Working Policy](#)
- [Maternity and Paternity Leave and Entitlements](#)
- [MP3 Maternity Notification Form](#)
- [Employee Maternity Quick Guide](#)
- [Employer Maternity Quick Guide](#)
- [Maternity Timeline](#)
- [Shared Parental Leave and Entitlements](#)
- [SPL Form](#)
- [Adoption Leave and Entitlements](#)
- [AP3 Adoption Notification Form](#)
- [Adoption FAQ](#)
- [Maternity & Paternity Flowchart](#)

Employees are encouraged to discuss their circumstances with their Academy Head and Central HR as early as possible to ensure they receive appropriate advice, guidance and support.

2.0 Scope

This policy applies to all employees of Consortium Trust, including employees who have transferred to the Trust under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE), who meet the relevant statutory eligibility and qualifying criteria.

The policy provides information on statutory and, where applicable, contractual family leave and pay entitlements, including Maternity Leave and Pay, Paternity Leave and Pay, Adoption Leave and Pay, and Shared Parental Leave and Shared Parental Pay. It also sets out any contractual entitlements that may apply to teachers and support staff employed by the Trust.

Eligibility for statutory and contractual leave and pay will depend on the relevant qualifying criteria set out within this policy and current applicable legislation.

3.0 Purpose

This policy aims to:

- explain employees' rights and entitlements to family related leave and pay;
- support employees through family related events;
- ensure family leave is managed fairly, consistently and in accordance with employment legislation; and
- comply with the Equality Act 2010 and relevant employment legislation.

Where employees are employed under the School Teachers' Pay and Conditions Document (STPCD), the Burgundy Book or the Green Book, any enhanced contractual provisions will apply in addition to statutory rights.

4.0 Legislation and Data Protection

This policy reflects current employment legislation, including:

- Employment Rights Act
- Equality Act 2010
- Data Protection Act 2018
- Family leave regulations
- ACAS
- Health and Safety Executive
- Government guidance.

All personal and medical information relating to maternity and paternity leave will be handled confidentially and processed in accordance with the Trust's Data Protection Policy and Staff Privacy Notice.

5.0 Equality

The Trust is committed to ensuring that employees are not treated unfairly because of pregnancy, maternity, paternity, adoption or family leave.

Employees must not experience unfair treatment, disadvantage or discrimination because they are pregnant, taking family leave, or intending to take family leave.

This includes, but is not limited to:

- Exclusion from training, meetings, appraisal or development opportunities;
- Unfair changes to duties, responsibilities or working arrangements;
- Detrimental treatment because of absence related to pregnancy or family leave;
- Pressure to resign or unfair dismissal; or
- Inappropriate comments or behaviour.

Academy Heads are responsible for ensuring employees are supported appropriately and that decisions relating to employment are fair, objective and free from discrimination.

6.0 Roles and responsibilities

Academy Head

The Academy Head is responsible for making sure that:

- Family leave is applied consistently across their school and that it is in line with equality legislation
- Line managers and other staff are aware of this policy and their responsibilities
- Considering all valid requests for time off equally and fairly
- Supporting staff to understand this policy
- Supporting staff and managing family-related leave and matters confidentially and sensitively, and in line with the Data Protection Act 2018
- Taking family-related leave and responsibilities into account when monitoring staff's workload, and promoting positive working arrangements
- Maintaining effective communication with staff, including while staff are on leave
- Liaising with payroll promptly if a staff member's pay needs to be adjusted as a result of them taking maternity, paternity, adoption, shared parental, or other types of family-related leave
- Giving due regard to equality legislation and taking any protected characteristics into consideration

Board of Trustees

The Trustees will approve this policy and hold the CEO to account for its implementation.

Other staff

Staff are expected to:

- Take the time to understand the sections of the policy that apply to them, and seek further detail and/or clarification from their Academy Head or Central HR if necessary
- Follow the procedures and timescales as set out in this policy
- Adhere to the stated timescales

7.0 Keeping in Touch During Family Leave

The Trust recognises that maintaining appropriate and supportive contact during family leave can help employees remain informed, feel connected to the workplace and support a smooth transition back to work.

Before the start of family leave, the employee and their Academy Head should discuss how they would like to keep in touch during the period of absence. This should include the preferred method and frequency of communication, as well as any information the employee would like to receive while they are away from work.

Reasonable contact may be maintained throughout the period of family leave and may include, where appropriate:

- providing updates on significant workplace developments;
- informing the employee of relevant vacancies, organisational changes, restructures or changes that may affect them;
- discussing training, professional development or career opportunities;
- discussing plans for returning to work, including any changes to the intended return date;
- considering any support, adjustments or arrangements that may be required before returning to work; and
- planning for Keeping in Touch (KIT) days or Shared Parental Leave in Touch (SPLIT) days, where applicable.

The Trust will ensure that any contact during family leave is reasonable, appropriate and agreed with the employee. Employees are not expected to undertake work during their leave unless this has been agreed in advance as a KIT or SPLIT day.

Employees are encouraged to maintain communication with their Academy Head, or Central HR, if they have any questions, wish to discuss their return to work or need to update the Trust on any changes to their circumstances.

8.0 Pensions Contributions During Family and Parental Leave

Pension arrangements during Family and Parental Leave will depend on the pension scheme of which the employee is a member and whether the leave is paid or unpaid. Employees should refer to the relevant pension scheme guidance for information about pension contributions and benefits during family leave as the rules differ between the pension schemes.

Employees are encouraged to seek advice from their pension provider before commencing leave to understand the impact on their pension and any options available to them in relation to pension contributions during periods of unpaid leave.

Maternity and Paternity Leave and Entitlements

Consortium Trust recognises and embraces diversity amongst our staff but for the purposes of this policy the terms she/he and mother/father will remain to reflect the relevant current Government guidelines

9.0 Entitlement

All pregnant employees are entitled to 52 weeks' maternity leave, regardless of their length of service or hours worked, provided they comply with the notification requirements set out in this policy. This comprises:

- 26 weeks' Ordinary Maternity Leave (OML), followed immediately by
- 26 weeks' Additional Maternity Leave (AML).

Maternity leave is a day one employment right. Entitlement to maternity pay, however, will depend on the employee's qualifying service and earnings. Employees may be entitled to Statutory Maternity Pay (SMP).

Occupational Maternity Pay (OMP) under the Burgundy Book or Green Book, Maternity Allowance (MA), or a combination of these, depending on their individual circumstances.

Maternity and Parental Leave Regulations (1999) requires that employees must take a minimum of two weeks' compulsory maternity leave immediately following the birth of their baby. Maternity leave must be taken as one continuous period.

10.0 Notification of Pregnancy and Maternity Leave

Employees are encouraged to inform their Academy Head of their pregnancy as early as they feel comfortable so that appropriate support and health and safety arrangements can be put in place.

To qualify for maternity leave and any applicable maternity pay, employees must notify the Trust no later than the end of the 15th week before the expected week of childbirth (EWC) unless there is good reason for a later notification. Written notification should include:

- confirmation of the pregnancy;
- the expected week of childbirth;
- the intended start date of maternity leave.

Employees should complete the Trust's [MP3 Maternity Notification Form](#) and provide their MAT B1 certificate issued by their doctor or midwife as soon as it is available.

The Trust will confirm the employee's maternity leave start and expected return date in writing within 28 days of receiving the notification setting out the expected date of return to work in the event of taking full statutory entitlement to maternity leave

If an employee wishes to change their intended maternity leave start date, 28 days' notice should be provided, or as much notice as is reasonably practicable where this is not possible.

The starting date of the maternity leave period should normally be agreed between the employee and Academy Head. However, the employee has the final decision. The earliest maternity leave can start is 11 weeks before the baby is due, or from the time of childbirth if that is earlier. However, if the employee is fit enough, she can work right up to the time the baby is due.

Normally, maternity leave will commence on the day specified by the employee concerned, although maternity leave can be triggered by pregnancy-related absence or the birth of the baby. When this happens, the maternity leave and maternity pay period is deemed to have begun on the day following the first day of absence or childbirth.

If reasonably practicable, notice of the date the baby was born must be given within 28 days.

11.0 Premature birth

If an employee's baby is born prematurely* before the maternity pay period is due to start, the employee's maternity pay entitlement will be applied in accordance with the relevant statutory and contractual provisions. Where the baby is born prematurely before 11 weeks before the EWC and survives, the Trust will consider any request for extended leave in accordance with the circumstances of the individual case.

*A premature (also known as preterm) birth is when a baby is born before 37 weeks of pregnancy.

12.0 Stillbirth and neonatal loss

Consortium Trust is committed to supporting all employees who experience pregnancy loss. The Trust recognises that everyone's experience of pregnancy loss is different and does not make assumptions about how an individual may feel during or after this time. This policy sets out the support available and aims to provide a flexible and compassionate approach based on individual circumstances.

Provided the employee has followed the requirements set out in this policy regarding notification of pregnancy and the expected arrangements, they will be entitled to maternity leave in the following circumstances:

- Where a child is stillborn after 24 weeks of pregnancy; or
- Where a child is born alive at any stage of pregnancy but does not survive (known as neonatal loss).

Maternity leave will begin on the day after the child is born. If the birth occurs before the employee's planned maternity leave start date, the employee should notify the Trust of the date of birth in writing as soon as reasonably practicable so that the necessary arrangements can be made.

The Trust recognises that, due to the distressing nature of stillbirth or neonatal loss, an employee may not be able to provide immediate notification. In these circumstances, the Trust will work with an employee to manage the necessary administrative arrangements sensitively, allowing them the time and space needed to process and recover from their loss.

13.0 Health and Safety for New and Expectant Mothers

The Trust is committed to protecting the health, safety and wellbeing of employees who are pregnant, have recently given birth or are breastfeeding. In accordance with health and safety legislation, the Trust will take all reasonably practicable steps to ensure that employees and their babies are not exposed to unnecessary risks in the workplace.

Once an employee has informed their Academy Head that they are pregnant, an individual [pregnancy risk assessment](#) will be completed in consultation with the employee. The assessment will consider the employee's duties, working environment and any medical advice received to identify risks that could affect the health and safety of the employee, their unborn child or a breastfeeding child.

Risks may arise from working conditions or exposure to physical, biological or chemical hazards, including, but not limited to:

- manual handling and lifting;
- prolonged standing or excessive physical demands;
- exposure to infectious diseases (for example, rubella or chickenpox);
- exposure to hazardous substances or chemicals;
- lone working;
- stress, fatigue or excessive working hours; and
- any other activity that may present a risk during pregnancy or whilst breastfeeding.

Where a risk is identified, the Trust will take reasonable steps to remove or reduce the risk. This may include:

- temporarily adjusting the employee's duties or working hours;
- providing appropriate equipment or workplace adjustments;
- transferring the employee to suitable alternative work on terms and conditions that are no less favourable than their substantive role; or
- where the risk cannot be adequately controlled and no suitable alternative work is available, suspending the employee on full pay until it is safe for them to return to work or until maternity leave begins.

Any period of suspension on maternity grounds will not affect the employee's contractual or statutory employment rights. Employees will continue to receive their normal contractual pay and benefits during any period of paid suspension unless they have unreasonably refused suitable alternative work.

The risk assessment will be reviewed regularly throughout the pregnancy, at least every three months, and sooner if there is a significant change in the employee's health, medical advice, working conditions or duties. As the pregnancy progresses, more frequent reviews may be appropriate to ensure that any changing needs are identified and appropriate adjustments are made.

Where an employee returns to work within six months of giving birth or is breastfeeding, the Trust will complete a further individual risk assessment to ensure that any ongoing risks are identified, and appropriate support and adjustments continue to be provided.

Managers should seek advice from the Trust's Health and Safety Adviser or Central HR if they require support in undertaking or reviewing a pregnancy risk assessment or where there are concerns about an employee's health and safety during pregnancy or whilst breastfeeding.

14.0 Starting Maternity Leave

Maternity leave may begin at any time from 11 weeks before the expected week of childbirth.

Maternity leave will start on the earliest of:

- the date chosen by the employee;
- the day after the birth if the baby is born before the planned start date; or
- the day after the first day of absence where the employee is absent due to a pregnancy-related illness during the four weeks before the expected week of childbirth.

Employees should notify their Academy Head as soon as reasonably practicable if their baby is born earlier than expected or if maternity leave starts because of pregnancy-related sickness.

15.0 Antenatal Care

Once an employee has notified the Trust that they are pregnant, they are entitled to reasonable paid time off during working hours to attend antenatal appointments made on the advice of a registered medical practitioner, registered midwife or registered nurse. Employees will not be unreasonably refused time off to attend these appointments.

Antenatal care includes routine medical examinations and may also include relaxation classes, parent-craft or antenatal education classes where these have been recommended by a registered medical practitioner, registered midwife or health visitor as part of the employee's antenatal care. Employees should notify their Academy Head of appointments as soon as reasonably practicable and, wherever possible, arrange appointments at the beginning or end of the working day to minimise disruption to the service. The Trust recognises that this may not always be possible due to the availability of appointments and will support employees in attending appointments where alternative arrangements cannot be made.

The Trust may ask employees to provide confirmation of their pregnancy, usually in the form of a MAT B1 certificate, together with evidence of antenatal appointments, such as an appointment card, letter or text confirmation. Evidence will not normally be requested for the first antenatal appointment.

Employees who have a qualifying relationship with the pregnant employee may be entitled to unpaid time off to accompany them to antenatal appointments in accordance with current legislation. This entitlement normally applies to:

- the baby's father;
- the pregnant employee's spouse, civil partner or partner;
- a person living with the pregnant employee in an enduring family relationship (but who is not a close relative); or
- an intended parent in a surrogacy arrangement who meets the statutory eligibility requirements.

The statutory entitlement is limited to up to two antenatal appointments, with a maximum of 6.5 hours for each appointment, including travelling time, waiting time and attendance.

The Trust may request a signed declaration confirming:

- the employee's qualifying relationship to the pregnant employee or expected child;
- the date and time of the appointment;
- that the appointment has been made on the advice of a registered medical practitioner, registered midwife or registered nurse; and
- that the purpose of the time off is to accompany the pregnant employee to the appointment.

Further information on eligibility and statutory rights is available from Central HR or on the Government website.

16.0 Pregnancy-Related Sickness Absence

Pregnancy-related sickness absence will be managed separately from the Trust's Sickness Absence Policy and will not be used for absence monitoring purposes.

If an employee is absent due to a pregnancy-related illness during the four weeks before the expected week of childbirth, maternity leave will normally begin automatically on the day following the first day of absence, unless an earlier maternity leave date has already been agreed or there are exceptional circumstances.

Where an employee is absent for reasons unrelated to their pregnancy, normal sickness absence provisions will continue to apply until the earlier of the agreed maternity leave start date or the birth of the baby.

Where there is uncertainty about whether an absence is pregnancy-related, the Trust may seek advice from Occupational Health or the employee's GP, with the employee's consent, to ensure the correct provisions are applied.

17.0 Keeping in Touch (KIT) Days

Employees on maternity leave may, by mutual agreement with the school, undertake up to 10 Keeping in Touch (KIT) days during their period of leave without bringing their statutory maternity or adoption leave to an end.

Participation in KIT days is entirely voluntary. Neither the employee nor the school is obliged to offer or accept KIT days.

KIT days may be used for a range of work-related activities, including:

- attending training or professional development;
- attending staff meetings or inset days;
- undertaking planning, preparation or handover activities;
- participating in appraisal, supervision or team meetings; or
- carrying out other duties agreed between the employee and their Academy Head.

A KIT day may be a full or part day; however, any work undertaken on a day will count as one KIT day, regardless of the number of hours worked.

KIT days cannot take place during the compulsory maternity leave period, which is the first two weeks immediately following childbirth.

Where a KIT day is agreed, the Trust will pay the employee their normal contractual daily rate of pay, in addition to any statutory maternity or adoption pay they may be entitled to receive, in accordance with the Trust's pay arrangements.

The Academy Head is responsible for:

- discussing and agreeing any KIT days with the employee;
- confirming the arrangements in writing;
- maintaining an accurate record of KIT days worked; and
- notifying Payroll of the agreed KIT days to ensure the appropriate payment is processed.

Employees will not be reimbursed for travel, childcare or other associated expenses incurred in attending KIT days unless this has been agreed in advance in accordance with the Trust's Expenses Policy.

18.0 Maternity Pay

Employees may be entitled to Occupational Maternity Pay (**OMP**), Statutory Maternity Pay (**SMP**) or Maternity Pay (**OMP**), Statutory Maternity Pay (**SMP**) or Maternity Allowance (**MA**), depending on their length of continuous service and eligibility under the relevant statutory and contractual provisions.

Statutory Maternity Pay (SMP)

Employees qualify for Statutory Maternity Pay where they:

- have at least 26 weeks' continuous service with the Trust by the 15th week before the expected week of childbirth;
- have average weekly earnings at or above the statutory Lower Earnings Limit;
- notify the Trust of their maternity leave in accordance with this policy; and
- provide a MAT B1 certificate or other acceptable evidence of pregnancy.

Statutory Maternity Pay is payable for up to 39 weeks:

- First 6 weeks: 90% of average weekly earnings.
- Following 33 weeks: The prevailing statutory weekly SMP rate or 90% of average weekly earnings if this is lower.

Current statutory rates are reviewed annually by the Government and will be applied in accordance with the legislation in force at the time payment is due.

Maternity Allowance (MA)

Employees who do not qualify for Statutory Maternity Pay may be eligible for Maternity Allowance through Jobcentre Plus, subject to meeting the statutory eligibility criteria.

Further information is available from the Government website or from Central HR.

Occupational Maternity Pay (OMP)

Eligibility

Employees employed under the Burgundy Book (Teachers) or Green Book (Support Staff) may qualify for Occupational Maternity Pay where they have completed at least one year's continuous service by the 11th week before the expected week of childbirth (EWC).

Employees who do not qualify for OMP may still qualify for Statutory Maternity Pay (SMP) or Maternity Allowance (MA).

Where a baby is born prematurely before the qualifying week, an employee who would otherwise have met the qualifying service requirement will still be treated as meeting the eligibility criteria.

Occupational Maternity Pay Entitlements

Employee Group	Occupational Maternity Pay
Teachers (Burgundy Book)	Weeks 1-4: 100% Pay (inclusive of SMP) Weeks 5-6: 90% Pay (inclusive of SMP) Weeks 7-18: 50% Pay plus SMP (not exceeding full pay). Weeks 19-39: SMP only (where eligible)
Support Staff (Green Book)	Weeks 1-6: 90% of average weekly earnings (SMP). Weeks 7-18: 50% pay plus SMP (not exceeding normal/full pay). Weeks 19-39: SMP only (where eligible).

Where an employee's normal weekly earnings are lower than the standard rate of SMP, but remain above the Lower Earnings Limit, SMP will be paid at **90% of average weekly earnings** for the applicable statutory period.

Conditions of Occupational Maternity Pay

Occupational Maternity Pay is subject to the employee returning to work following maternity leave.

Teachers

To retain entitlement to Occupational Maternity Pay, teachers must return to work for at least 13 weeks in the same school or another school within Consortium Trust. Where a teacher returns on reduced hours, the return period must equate to 13 weeks of their previous contractual service.

If a teacher chooses not to return to qualifying employment, the Trust may recover the OMP element of maternity pay paid after the sixth week of maternity leave. SMP is not recoverable.

Support Staff

Support staff must return to work for at least three calendar months in the same school or another school within Consortium Trust to retain entitlement to OMP.

If a support staff member does not return to qualifying employment, the Trust may recover the OMP half-pay element of maternity pay. Statutory Maternity Pay is not recoverable.

Employees who know they do not intend to return to work may choose to receive only their statutory entitlement during maternity leave.

Where an employee is unable to return to work due to certified sickness at the end of maternity leave, the Trust's contractual sick pay provisions will apply.

Employees may choose for the occupational half-pay element to be:

- paid during maternity leave as it falls due;
- paid as a lump sum on return to work; or
- paid after completing the required return-to-work period.

Employees working under more than one contract

- If the employee satisfies the qualifying rules with more than one employer, they can receive SMP/SPP from each of them.
- If an employee works under two separate contracts of employment and The Consortium as the employer pays National Insurance Contributions separately for each contract, eligibility for the payment of SMP/SPP will be assessed separately.
- If the pay from the contracts is added together before National Insurance contributions are calculated, then SMP/SPP is assessed on the total payment.

Summary of Entitlement

Continuous Service	Leave Entitlement	Pay Entitlement
Less than 26 weeks by the qualifying week	52 weeks maternity leave	No SMP. May qualify for Maternity Allowance.
26 weeks or more by the qualifying week but less than 1 year's continuous service	52 weeks maternity leave	SMP only (where eligible).
1 year's continuous service by the 11th week before the EWC (Support Staff)	52 weeks maternity leave	Occupational Maternity Pay plus SMP in accordance with the Green Book.
1 year's continuous service by the 11th week before the EWC (Teachers)	52 weeks maternity leave	Occupational Maternity Pay plus SMP in accordance with the Burgundy Book.

19.0 Returning to Work

Employees are entitled to return to work at the end of their maternity leave without providing further notice, unless they wish to return earlier than the end of the 52-week maternity leave period.

Employees wishing to return early should give at least 21 days' written notice. Where insufficient notice is given, the Trust may postpone the return date to ensure the required notice period is met, provided the postponement does not extend beyond the end of the employee's maternity leave entitlement.

If no earlier return date is notified, the employee will be expected to return to work on the date confirmed in the Trust's maternity leave confirmation letter.

20.0 Breastfeeding

Employees who intend to continue breastfeeding after returning to work from maternity leave should discuss their requirements with their Academy Head as early as possible so that appropriate support and arrangements can be considered.

The school will facilitate a suitable area where employees who are breastfeeding can rest.

Employees who are breastfeeding may require more frequent breaks. Employees are encouraged to discuss their needs with their Academy Head so that suitable arrangements for the timing and frequency of breaks can be agreed.

21.0 Paternity Leave and Pay

Statutory paternity leave

Eligible employees at Consortium Trust are entitled to take one or two weeks' statutory paternity leave and may provide notice from the first day of employment. Paternity leave may be taken as either:

- A single consecutive period of one or two weeks; or
- Two separate periods of one week each.

Employees are entitled to the same amount of paternity leave regardless of the number of children born or placed for adoption (for example, twins).

*A week is based on the employee's normal working pattern. For example, an employee who normally works two days per week would have a week's leave entitlement based on two working days. *

Paternity leave may be taken:

- At any point within 52 weeks following the birth of the child or placement for adoption; or
- Within 52 weeks from the first day of the week the baby was due, where the baby is born prematurely.

To be eligible for paternity leave, an employee must expect to have responsibility for the child's upbringing and must be one of the following:

- The child's biological father;
- The partner of the person giving birth (including a same-sex partner);
- The child's adopter or the partner of the child's adopter;
- The intended parent where the child is born through surrogacy; or
- A person with whom a child is placed under a local authority fostering for adoption arrangement, or the partner of that person.

Paternity leave:

- Cannot begin before the child is born.

Eligible employees may also take time off to accompany their partner up to two antenatal appointments.

Paternity leave is different if you are adopting or fostering for adoption. Please see [Adoption Leave and Entitlement](#).

22.0 Statutory Paternity Pay

The latest statutory weekly rate of paternity pay can be located on the Government website.

Employees are entitled to statutory paternity pay (SPP), if:

- They have been continuously employed for at least 26 weeks at the end of the qualifying week; and
- Their average weekly earnings during the 'relevant period' is not less than the lower earnings limit set by the Government.

In the paragraph above, 'relevant period' means the 8-week period ending with the 'qualifying week', which is the 15th week before the expected week of childbirth or the week in which employees were notified of being matched with the child.

SPP is paid at a prescribed rate that is set by the Government for the relevant tax year, or at 90% of an employee's average weekly earnings calculated over the relevant period if this is lower.

Notification Requirements for Paternity Leave

Where possible, employees should notify the school in writing at least 15 weeks before the expected week of childbirth. The notification should confirm:

- That they are expecting a child;
- That they are the child's father, or the spouse, civil partner or partner of the person giving birth;
- That they are the intended parent in a surrogacy arrangement, intend to apply for a parental order within six months of the birth, expect the order to be granted, and meet the eligibility criteria for statutory paternity pay;
- The expected week of childbirth;
- That they expect to have responsibility for the child's upbringing (apart from any responsibility held by their partner); and
- That they intend to take paternity leave.

Where possible, employees should provide at least 28 days' notice before each period of paternity leave. This should confirm:

- The date they would like their leave to start (for example, the date of birth or a date after the birth);
- Whether they intend to take one or two weeks' leave; and
- That the purpose of the leave is to care for the child or support their partner.

If an employee needs to change the dates or period of paternity leave, they should provide at least 28 days' notice where reasonably practicable. The employee should also confirm that the purpose of the revised leave remains to care for the child or support their partner.

23.0 Shared parental leave and pay

Employees considering shared parental leave should refer to the Trust's [Shared Parental Leave and Entitlements](#) for further information. Employees are also encouraged to speak to their Academy Head or Central HR if they have any questions or require further guidance.

24.0 Neonatal care leave and pay

An employee may be eligible for statutory neonatal care leave and pay if they or their partner has a baby that needs neonatal medical care.

The baby must have been born on or after 6 April 2025, and must:

- Receive neonatal care for a minimum of 7 uninterrupted days, and
- Enter neonatal care within 28 days of being born
- Neonatal care covers: department
- Ongoing monitoring and home visits from healthcare professionals, directed by a consultant and arranged by the hospital where the child was an inpatient
- End-of-life (palliative) care
- Hospital treatment, including any treatment in a special care baby unit (SCBU), local neonatal unit (LNU) or neonatal intensive care unit (NICU)
- Treatment in a maternity home, clinic or hospital outpatient

Eligibility for Neonatal Care Leave

An employee is eligible for neonatal care leave where they are taking leave to care for a child and are:

- The child's parent;
- The child's intended parent;
- The partner of the child's mother;
- The child's adopter or prospective adopter (or the partner of the adopter or prospective adopter), including where the child is adopted from overseas.

The employee must also have, or expect to have, responsibility for the child's upbringing. In the case of a partner, they must have the main responsibility for the child's care apart from the child's parent or adopter.

Employees are eligible to provide notice and request neonatal care leave from their first day of employment with Consortium Trust.

When leave can start

Neonatal care leave can commence after the baby has received 7 uninterrupted days of neonatal care, not counting the day on which the neonatal care started.

The first week of neonatal care before starting neonatal care leave is called the "waiting period".

Neonatal care leave can be taken at any time after the waiting period, but you must take all leave within 68 weeks of the baby's date of birth.

During the waiting period, employees will usually already be on maternity, paternity, adoption, or shared parental leave. However, where this is not the case and time away from work is required, employees should discuss their circumstances with their Academy Head.

The Trust will make every effort to support employees during this time and will consider appropriate options, which may include the use of paid annual leave or unpaid time off for dependants.

The minimum period of neonatal care leave an employee can take is 1 week, and the maximum is 12 weeks. Each uninterrupted week of neonatal care is called a "qualifying week". Part weeks are not included.

How it works

An employee must take any period of neonatal care leave in full weeks (meaning 7 consecutive days). There are 2 tiers of leave.

Tier-1 leave starts after the waiting period and lasts until 7 days after the baby has left neonatal care. You can either:

- Take tier-1 leave in 1 continuous period, **or**
- Split the leave into multiple periods of 1 or more whole weeks

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

Tier-2 leave:

- Applies to any leave you take after the tier-1 period ends
- Can be taken up to 68 weeks after the child's birth
- Must be taken in 1 continuous block, in whole weeks

Giving notice for neonatal care leave

The Trust recognises that having a baby in neonatal care can be an extremely distressing time and that employees may not always be able to provide the required notice for neonatal care leave. In these circumstances, employees should speak to their Academy Head as soon as possible. The Trust will work with the employee to agree a suitable approach and, where appropriate, may agree to waive the usual notice requirements.

Tier 1 Neonatal Care Leave *(From when the baby has been in neonatal care for 7 consecutive days until 7 days after the baby leaves neonatal care)*

Employees must provide notice of their intention to take neonatal care leave before their expected return to work. Where an employee has already returned to work, leave will normally begin on the following day.

Where further leave is required, the employee must provide further notice by the end of the preceding week.

Employees should notify the Trust as soon as possible when the baby leaves neonatal care. Notice for Tier 1 leave does not need to be provided in writing.

Tier 2 Neonatal Care Leave *(Where the baby has left neonatal care more than one week previously)*

Employees wishing to take Tier 2 neonatal care leave must provide notice in writing:

- At least 15 days before the first day of leave where taking one week of leave; or
- At least 28 days before the first day of leave where taking two or more weeks of leave.

Neonatal Care Pay

Eligibility

Employees who are eligible for neonatal care leave may also qualify for statutory neonatal care pay if they:

- Have been continuously employed by Consortium Trust for at least 26 weeks by the end of the relevant week; and
- Have average weekly earnings at or above the Government's lower earnings limit during the relevant assessment period.

The relevant week will depend on the circumstances and may be:

- The 15th week before the expected week of childbirth;
- The week in which an adoption agency or local authority confirms a match; or
- The week before neonatal care begins in other circumstances.

Amount of Pay

The current statutory weekly rate of neonatal care pay is available on the Government website. Statutory neonatal care pay is only payable for complete weeks of neonatal care leave taken.

Notice Requirements for Neonatal Care Pay

For Tier 1 neonatal care leave, employees must provide notice for pay within 28 days of the start of their neonatal care leave.

For Tier 2 neonatal care leave, employees must provide notice:

- At least 15 days before the first day of leave where taking one week of leave; or
- At least 28 days before the first day of leave where taking two or more weeks of leave.

Information Required for Neonatal Care Leave and Pay

Employees should provide the following information in writing within 28 days of the start of neonatal care leave:

- Employee's name;
- Child's date of birth;
- Dates of any neonatal care period (where known);
- Date neonatal care leave started or will start;
- Number of weeks of neonatal care leave taken or intended to be taken;
- Date of placement for UK adoption cases;
- Date the child entered Great Britain for overseas adoption cases.

Employees must also provide:

- A declaration that the purpose of the leave is to care for the child; and
- A declaration confirming parental responsibility for the child (where required for the first application for neonatal care leave and pay).

Cancelling Neonatal Care Leave

Employees may cancel future planned Tier 2 neonatal care leave by providing written notice:

- At least 15 days before the start of one week of leave; or
- At least 28 days before the start of two or more weeks of leave.

Employees may also return early from Tier 2 neonatal care leave by providing at least one week's notice. However, neonatal care leave must be taken in complete weeks and cannot be ended part-way through a week.

Notice to cancel leave cannot be given where the child remains in neonatal care or during the first week after the child leaves neonatal care (Tier 1).

Neonatal Care Leave and Other Family Leave

Taking neonatal care leave does not affect an employee's entitlement to other types of family leave and pay, including:

- Maternity leave and pay;
- Adoption leave and pay;
- Paternity leave and pay;
- Shared parental leave and pay; and
- Unpaid parental leave.

Where an employee is already taking another type of family leave when their child starts neonatal care, neonatal care leave may be taken after that leave ends, provided the required notice and information are provided.

Where neonatal care leave is interrupted by another pre-booked period of statutory family leave:

- During Tier 1, the employee may resume neonatal care leave immediately after the other leave ends.
- During Tier 2, any remaining neonatal care leave must be added to any further period of neonatal care leave the employee intends to take.

Employees should ensure that any Tier 2 neonatal care leave is not interrupted by another pre-booked period of family leave, as Tier 2 leave must be taken as a single block.

25.0 Additional support

Consortium Trust acknowledges that each staff member's circumstances may differ. If you need additional support, please discuss this with the Academy Head and we will do our best to help you.

26.0 Annual Leave During Family Leave

Annual leave continues to accrue during maternity, adoption, paternity, shared parental and neonatal care leave in accordance with statutory and contractual entitlements. The arrangements for taking annual leave during family leave depend on your role and terms and conditions of employment.

Employees should discuss annual leave arrangements with their Academy Head before starting family leave and before returning to work to ensure any outstanding leave is managed appropriately. Employees who require further advice should contact Central HR.

Teachers

Teachers do not have a separate contractual annual leave entitlement. Their statutory annual leave is incorporated into the school closure periods. Annual leave continues to accrue during maternity leave in accordance with statutory and contractual requirements and will be managed through the school closure arrangements and any applicable carry-forward provisions.

Term-Time Only Support Staff

Term-time only support staff continue to accrue annual leave during family leave. As annual leave is normally taken during school closure periods, the Trust will ensure that any statutory leave that cannot be taken because of family leave can be taken at another time or carried forward where required by law.

Year-Round Support Staff

Year-round support staff continue to accrue annual leave and public holidays during family leave. Annual leave should normally be taken before or after the period of family leave. Where this is not possible, leave may be carried forward in accordance with the Trust's Annual Leave Policy and statutory requirements.

27.0 Managing Requests for Flexible Working

All employees have the statutory right to request flexible working, regardless of whether they are a parent or carer. Flexible working may include changes to hours, working patterns, or other contractual arrangements.

All requests for flexible working, including part-time work and job sharing, will be considered against the operational requirements of the school and in line with statutory requirements and the Trust's [Flexible Working Policy](#). Employees should make requests as early as possible, as some arrangements may require time to plan and implement.

Employees returning from maternity, adoption, shared parental or neonatal leave do not have an automatic right to return on different contractual terms. Their right is to return to the role held before their leave began.

For support staff, returning to work part-time does not affect entitlement to retain the 12 weeks' half pay element of occupational maternity pay, provided the employee returns to work for at least three months regardless of the hours worked.

For teaching staff, where hours are reduced following maternity leave, the required return-to-work period to retain occupational maternity pay is increased on a pro-rata basis. For example, reducing from full-time to 0.5 FTE requires a return period of 26 weeks.

Any agreed change to contractual working arrangements will normally be permanent. However, by mutual agreement, a temporary arrangement may be considered and reviewed before deciding whether to make the change permanent or return to the original contractual arrangements.

Additional information

Maternity Support Leave

Eligible support staff employed under the National Joint Council (NJC) terms and conditions may be entitled to up to five working days' maternity support leave with full pay.

Maternity support leave is available to the child's father, or the partner or nominated carer of the person giving birth, where they are supporting the mother and/or caring for the child around the time of the birth.

Maternity support leave is separate from statutory paternity leave. Where an employee is eligible for both maternity support leave and statutory paternity leave, they should discuss their circumstances with Central HR to confirm the applicable entitlements.

There is no equivalent entitlement for teachers under the Burgundy Book. Requests from teaching staff will be considered under the Trust's Special Leave arrangements.

Fertility Treatment

The Trust recognises that fertility treatment can be a challenging and sensitive time for employees. There is currently no statutory entitlement to time off for fertility treatment; however, requests will be considered sympathetically and on an individual basis. Further details may be obtained from the [Leave of Absence Guidance](#).

Employees should discuss their circumstances with their Academy Head or Central HR, who will provide advice on available options, which may include flexible working, annual leave or special leave arrangements.

Continuous Service

Periods of maternity, paternity, adoption and shared parental leave count as continuous service and do not affect an employee's employment rights or statutory protections.

Employees should contact Central HR for advice where previous service may affect specific employment entitlements.

Agency Workers

This policy applies to employees of Consortium Trust only. Agency workers are not employed directly by the Trust and therefore are not covered by the family leave entitlements set out within this policy.

Agency workers should contact their employing agency for advice regarding any family leave rights or entitlements available to them.

Maternity Timeline

A simple guide for employees and employers – key steps and important dates



NEED HELP? If you have any questions at any stage, please speak to your Academy Head or the HR Team.

NEW AND EXPECTANT MOTHERS RISK ASSESSMENT 2026

Consortium Trust is committed to providing a safe and supportive working environment for new and expectant mothers. This risk assessment will be completed in consultation with the employee and should be reviewed regularly to reflect any changes in duties or circumstances. Any independent medical information or recommendations provided will be considered to support appropriate adjustments and safeguard health, safety, and wellbeing.

Name:		Reviewer:		Date:
Hazard / Concern	Potential Risk	Risk Rating (H/M/L)	Control Measures / Adjustments	Actions Required / Notes
Medical concerns	Existing or pregnancy-related medical conditions affecting work		Employee to advise of any medical concerns relevant to work. Independent medical advice/information to be considered where provided.	
Manual handling / physical tasks	Injury, strain, backache, postural problems		Avoid heavy lifting, moving, restraint, buffing, vacuuming, mopping, stretching, or twisting where possible. Consider light duties and review throughout pregnancy.	
Fatigue / prolonged standing / ergonomics	Fatigue, dizziness, musculoskeletal strain		Provide seating, regular breaks, workstation adjustments, and review comfort regularly.	
Heat stress / dehydration / extremes of temperature	Overheating, dehydration, discomfort		Ensure access to drinking water, ventilation, and regular breaks. Avoid prolonged exposure to excessive heat or cold.	
Computer use / DSE	Poor posture or discomfort		Review or complete DSE assessment and adjust workstation if required.	
Toilet access / welfare facilities	Discomfort or health concerns		Ensure suitable toilet and rest facilities are available and accessible.	

Stress / psychological wellbeing / raised blood pressure	Stress, anxiety, fatigue, raised blood pressure, impact on wellbeing or pregnancy		Maintain regular wellbeing discussions, review workload and working hours, and provide appropriate support or adjustments where required. Consider occupational health referral where appropriate.	
Lone working	Delayed access to support in emergency		Review lone working arrangements and implement additional support measures if required.	
Pregnancy-related sickness / nausea	Increased sickness or discomfort		Consider flexible working, amended duties, or temporary removal from tasks involving strong smells.	
Slips, trips, and falls	Increased risk due to changes in balance or coordination		Ensure walkways are clear, spillages cleaned promptly, and suitable footwear worn.	
Noise	Stress, fatigue, raised blood pressure		Reduce prolonged exposure to loud environments and provide breaks where possible.	
Vibration	Potential harm from excessive vibration or shock		Avoid exposure to vibrating machinery or excessive vibration from equipment/vehicles.	
Violence / challenging behaviour	Physical or emotional harm		Review duties and consider alternative work arrangements if required.	
COSHH / hazardous substances	Exposure to harmful chemicals or substances		Review COSHH assessments and remove exposure to hazardous substances where necessary.	
Biological agents / infectious diseases	Increased risk from infectious illnesses		Follow infection control measures and notify employee of relevant outbreaks/exposures where appropriate.	

Personal Protective Equipment (PPE)	Ill-fitting or unsuitable PPE		Ensure PPE remains suitable, comfortable, and effective.	
First aid duties	Risk from physical intervention or pressure		Review suitability of first aid duties and adjust if necessary.	
Emergency evacuation	Difficulty evacuating safely		Review evacuation arrangements and provide support if required. Consider PEEP if necessary.	
Breastfeeding / expressing milk	Discomfort or lack of suitable facilities		Provide suitable private facilities and reasonable breaks where required.	
Lead exposure	Harm to mother or unborn child		Avoid all lead-related work during pregnancy and breastfeeding.	
Other identified risks	Additional workplace-specific hazards		Manager to assess any additional risks and seek further advice where required.	

NOTES:

Employee Signature:

Reviewer Signature:

Shared Parental Leave

28.0 Introduction

Shared Parental Leave (SPL) enables eligible parents to share up to 50 weeks of leave and up to 37 weeks of statutory Shared Parental Pay (ShPP) during the first year following the birth or adoption of a child. SPL provides families with greater flexibility to decide how they wish to balance childcare and work responsibilities.

Shared Parental Leave may be taken by eligible parents following the curtailment of maternity or adoption leave and pay. Parents may choose to take leave separately, at the same time, or in alternating periods, subject to the statutory notification requirements.

This section sets out the statutory rights and the Trust's enhanced occupational provisions relating to Shared Parental Leave and Shared Parental Pay. It should be read alongside the Maternity Leave, Adoption Leave and Neonatal Care Leave sections of this policy.

Employees are encouraged to discuss their intentions with their Academy Head and Central HR as early as possible to ensure appropriate support and planning. Central HR can provide the necessary forms, guidance and advice throughout the process.

Further information, eligibility guidance and online calculators for Shared Parental Leave and Shared Parental Pay are available on GOV.UK.

Throughout this policy, references to a "partner" include a spouse, civil partner or partner, including same-sex partners.

29.0 Eligibility and Entitlement

Shared Parental Leave (SPL) and Shared Parental Pay (ShPP) are available to eligible parents following the birth or adoption of a child, provided the statutory eligibility requirements are met.

SPL enables eligible parents to share up to 50 weeks of leave and up to 37 weeks of statutory Shared Parental Pay (ShPP) during the child's first year after birth or placement for adoption.

Who can take Shared Parental Leave?

Shared Parental Leave may be taken by:

- the child's mother or primary adopter; and
- the child's father, or the spouse, civil partner or partner (including a same-sex partner) of the child's mother or adopter.

Both parents must share the main responsibility for caring for the child at the time of the birth or placement for adoption.

Eligibility

To qualify for Shared Parental Leave, an employee must meet the statutory eligibility requirements, including:

- being an employee of the Trust;
- meeting the statutory continuity of employment requirements;
- ensuring that the mother or primary adopter has curtailed, or given notice to curtail, their maternity or adoption leave and/or pay (where applicable);
- meeting the relevant statutory notification requirements and providing any supporting information requested by the Trust; and
- satisfying the statutory eligibility criteria applicable to both parents at the time of the request.

In some circumstances only one parent may be eligible for Shared Parental Leave. For example, where one parent is self-employed, they may not qualify for SPL themselves but may still enable their employed partner to qualify, provided the relevant statutory eligibility criteria are met.

Entitlement

Eligible employees may take up to 50 weeks of Shared Parental Leave, less any maternity or adoption leave already taken before the leave is curtailed.

Shared Parental Leave may begin:

- after the birth mother has completed the compulsory two-week maternity leave period following childbirth;
- after the adopter has completed the compulsory two-week adoption leave period following placement; or
- after the child's other parent has taken any period of statutory paternity leave, they wish to use before commencing Shared Parental Leave.

Shared Parental Leave:

- may be taken by one parent or shared between both parents;
- may be taken at the same time or at different times, subject to the statutory notification and booking arrangements;
- must be taken within the first 52 weeks following the child's birth or placement for adoption; and
- does not increase where multiple children are born or placed for adoption as part of the same pregnancy or placement.

Where maternity or adoption leave is curtailed before the full entitlement has been taken, the remaining balance may be converted into Shared Parental Leave, subject to the statutory qualifying conditions.

30.0 Shared Parental Pay (ShPP)

Eligibility

Employees who qualify for Shared Parental Leave (SPL) may also be entitled to Statutory Shared Parental Pay (ShPP), provided they meet the statutory qualifying conditions in force at the relevant time.

To qualify for ShPP, an employee must:

- meet the eligibility requirements for Shared Parental Leave;
- satisfy the statutory earnings and continuous employment requirements;
- ensure that the birth mother or primary adopter has reduced their entitlement to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance, where applicable;
- intend to care for the child during each week that ShPP is claimed;
- be absent from work whilst receiving ShPP, except where a Shared Parental Leave in Touch (SPLIT) day has been agreed; and
- provide the required statutory notices and supporting information.

Further guidance on eligibility is available from Central HR or Government website.

Entitlement

Eligible employees may receive up to 37 weeks of Statutory Shared Parental Pay (ShPP). The amount of ShPP available depends on how much Statutory Maternity Pay (SMP), Statutory Adoption Pay or Maternity Allowance remains available after maternity or adoption leave and pay have been curtailed.

Statutory ShPP is paid at the statutory rate set by the Government for the relevant tax year or 90% of the employee's average weekly earnings where this is lower.

Enhanced Occupational Shared Parental Pay

The Trust supports eligible employees by providing enhanced occupational ShPP equivalent to its Occupational Maternity or Adoption pay provisions, subject to the same qualifying conditions. To qualify for enhanced Occupational ShPP, employees must have at least one year's continuous service with the Trust by the qualifying week applicable to maternity or adoption leave.

	Enhanced Occupational Shared Parental Pay*
Support Staff	6 weeks at 90% of normal pay, followed by 12 weeks at half pay plus Statutory Shared Parental Pay (provided combined payments do not exceed normal pay).
Teachers	4 weeks full pay (inclusive of statutory pay), followed by 2 weeks at 90% pay (inclusive of statutory pay), followed by 12 weeks at half pay plus Statutory Shared Parental Pay (provided combined payments do not exceed normal pay).

*The enhanced entitlement is limited to the occupational pay remaining available following the curtailment of maternity or adoption pay.

Employees who receive enhanced occupational Shared Parental Pay and do not return to work for at least 13 weeks following the end of Shared Parental Leave will normally be required to repay the enhanced occupational element of the payment. Statutory Shared Parental Pay is not repayable.

The Trust pays Shared Parental Pay only to its own employees.

31.0 Notification and Booking Shared Parental Leave

Employees are encouraged to discuss their intentions with their Academy Head and Central HR as early as possible. To take Shared Parental Leave, employees must comply with the statutory notification requirements, including:

- a notice confirming that maternity or adoption leave and pay will be curtailed, where applicable;
- a notice of entitlement and intention to take Shared Parental Leave; and
- one or more notices confirming the periods of leave requested.

Employees must normally provide at least eight weeks' written notice before the start of each period of Shared Parental Leave.

The Trust recognises that Shared Parental Leave can be complex. Central HR will provide the appropriate forms, guidance and support throughout the process and will work with employees and managers to ensure requests are managed fairly and in accordance with the statutory requirements.

32.0 Notification, Timescales and Responsibilities

Employees considering Shared Parental Leave are encouraged to discuss their plans with their Academy Head and Central HR as early as possible to enable appropriate planning and support.

Employees are responsible for:

- providing the statutory notices required to confirm their entitlement to Shared Parental Leave and Shared Parental Pay;
- submitting the appropriate notices to curtail maternity or adoption leave and pay, where applicable;
- giving at least eight weeks' written notice before the start of each requested period of Shared Parental Leave;
- providing any additional information or evidence reasonably requested to confirm eligibility; and
- keeping the Trust informed of any changes to their planned leave arrangements.

Employees may submit up to three statutory notices to book or vary periods of Shared Parental Leave, in accordance with the relevant legislation.

Managers are responsible for:

- encouraging early discussions about Shared Parental Leave and signposting employees to Central HR for advice;
- considering all Shared Parental Leave requests fairly and in accordance with statutory requirements;
- responding to requests within the statutory timescales;
- seeking to agree flexible leave arrangements wherever reasonably practicable; and
- working with Central HR to ensure the correct procedures are followed.

A request for a single continuous period of Shared Parental Leave will normally be approved where the statutory notice requirements have been met. Requests for discontinuous periods of leave will be considered on an individual basis, taking account of both the employee's request and the operational needs of the Trust.

Where a proposed pattern of leave cannot be accommodated, the Trust will discuss alternative arrangements with the employee.

33.0 Shared Parental Leave in Touch (SPLIT) Days

Employees taking Shared Parental Leave may, by agreement with the Trust, work or attend training for up to 20 Shared Parental Leave in Touch (SPLIT) days during their period of leave without bringing their Shared Parental Leave or Shared Parental Pay to an end.

Participation in SPLIT days is entirely voluntary. Neither the employee nor the Trust is obliged to offer or undertake SPLIT days, and they may only take place where both parties agree.

A SPLIT day may be used for a variety of purposes, including:

- attending training or professional development;
- keeping up to date with workplace developments;
- attending meetings or school events;
- supporting a phased return to work; or
- trialling a flexible working arrangement before returning to work.

Any work undertaken during part of a day will count as one SPLIT day.

Employees will receive their normal contractual pay for any SPLIT day worked. Where a SPLIT day falls during a period in which Statutory Shared Parental Pay is payable, the Trust will top up the statutory payment so that the employee receives their normal pay for the time worked. SPLIT days do not extend the overall period of Shared Parental Leave.

34.0 Returning to Work Following Shared Parental Leave

Employees returning from Shared Parental Leave have the same statutory rights to return to work as employees returning from maternity or adoption leave.

Where the total period of statutory family leave taken is 26 weeks or less, the employee will normally return to the same job on the same terms and conditions. Where the total period of statutory family leave exceeds 26 weeks, the employee will normally return to the same job unless this is not reasonably practicable. In such circumstances, the employee will be offered suitable alternative employment on terms and conditions that are no less favourable.

Employees wishing to return earlier than the agreed end date of their Shared Parental Leave must provide at least eight weeks' written notice.

Employees should refer to the [Flexible Working Policy](#) for further information on returning to work, requesting flexible working arrangements and support available following family leave.

35.0 Further Information and Support

This section forms part of the Trust's Family and Parental Leave Policy and is non-contractual.

Employees who are considering SPL are encouraged to seek advice from their Academy Head and Central HR can provide guidance on eligibility, notification requirements, pay entitlements and the application process.

Further information, statutory guidance and eligibility calculators are available on Government website.

Adoption Leave and Entitlements

36.0 Introduction

This guidance sets out the statutory adoption leave and pay entitlements available to eligible employees, together with any contractual adoption pay provisions that apply to teachers and support staff employed by the Trust.

This guidance applies where a child is matched with an employee for adoption and placed for adoption within the UK. Adoption arrangements involving children adopted from overseas may have different requirements and timescales. Employees considering an inter-country adoption should seek advice from the Central HR regarding their specific circumstances and entitlements.

When an employee becomes an adoptive parent, there are several rights, responsibilities and practical arrangements they should be aware of. This guidance provides information about:

- Adoption leave entitlements
- Adoption pay entitlements
- Keeping in Touch (KIT) days
- Shared Parental Leave and Pay
- Returning to work following adoption leave
- Annual leave arrangements
- Pension implications

37.0 Statutory Adoption Leave

Eligible employees do not need a minimum period of continuous service to qualify for Statutory Adoption Leave.

Where a couple is adopting jointly, they can choose which adopter will take adoption leave. The other adopter, or the partner of the adopter, may be eligible for other statutory family leave entitlements, such as paternity leave and pay, subject to meeting the relevant eligibility criteria. Eligible employees are entitled to up to 52 weeks' adoption leave, consisting of:

- 26 weeks' Ordinary Adoption Leave, followed immediately by
- 26 weeks' Additional Adoption Leave.

Employees can choose to start their adoption leave:

- on the date the child is placed with them for adoption; or
- on a fixed date up to 14 days before the expected date of placement (but no later than the expected date of placement).

Adoption leave can begin on any day of the week. Only one period of adoption leave is available where more than one child is placed for adoption as part of the same arrangement.

If the child's placement ends during the adoption leave period, the adopter may continue to take adoption leave for up to eight weeks following the end of the placement.

Adoption leave and pay are not available where a child is not newly matched for adoption, for example where a step-parent is adopting their partner's child.

38.0 Statutory Adoption Pay

Employees who meet the statutory eligibility criteria will be entitled to Statutory Adoption Pay (SAP) during their adoption leave. The employee must normally give at least 28 days' notice of the intended start date for Statutory Adoption Pay, unless this is not reasonably practicable.

Statutory Adoption Pay is payable for up to 39 weeks and is paid as follows:

- the first 6 weeks at 90% of the employee's average weekly earnings; and
- the remaining 33 weeks at the statutory rate set annually by the Government (or 90% of the employee's average weekly earnings if this is lower).

Employees must satisfy the statutory qualifying conditions for Statutory Adoption Pay, including meeting the relevant earnings threshold and notification requirements. Employees who do not qualify for Statutory Adoption Pay may wish to seek advice regarding other benefits or financial support through GOV.UK or the Department for Work and Pensions.

39.0 Occupational Adoption Pay

In addition to Statutory Adoption Pay, eligible employees who have completed at least one year's continuous service recognised for occupational adoption pay purposes at the commencement of adoption leave may be entitled to enhanced Occupational Adoption Pay in accordance with their contractual terms and conditions.

Teachers

Eligible teachers will receive Occupational Adoption Pay as follows:

- 4 weeks' full pay (inclusive of any Statutory Adoption Pay entitlement);
- 2 weeks' pay at 90% of normal pay (inclusive of any Statutory Adoption Pay entitlement);
- 12 weeks' half pay plus any Statutory Adoption Pay entitlement, provided that total pay does not exceed normal full pay;
- 21 weeks' Statutory Adoption Pay, where eligible.

To retain entitlement to Occupational Adoption Pay, teachers must return to work for a minimum of 13 weeks (or the pro-rata equivalent where contractual hours are reduced on return). If this condition is not met, the Occupational Adoption Pay element must be repaid. Statutory Adoption Pay is not repayable.

Employees may choose to receive the Occupational Adoption Pay as it becomes due or request that it is withheld until they have returned to work.

Support Staff

Eligible support staff will receive Occupational Adoption Pay as follows:

- 6 weeks' pay at 90% of normal pay (inclusive of any Statutory Adoption Pay entitlement);
- 12 weeks' half pay plus any Statutory Adoption Pay entitlement, provided that total pay does not exceed normal full pay;
- 21 weeks' Statutory Adoption Pay, where eligible.

Where a support staff employee does not intend to return to work following adoption leave, entitlement to Occupational Adoption Pay will be limited to the first 6 weeks at 90% of normal pay, subject to the applicable terms and eligibility requirements. Statutory Adoption Pay will continue where the employee remains eligible.

To retain entitlement to the enhanced Occupational Adoption Pay (the 12 weeks' half pay), support staff must return to work within the Trust for a minimum of three months following adoption leave. Returning to employment in another school or role within the Trust will satisfy this requirement. If this condition is not met, the Occupational Adoption Pay element must be repaid. Statutory Adoption Pay is not repayable.

Employees may choose to receive the enhanced Occupational Adoption Pay as it becomes due or request that it is withheld until they have returned to work. Further options can be discussed with Central HR.

40.0 Shared Parental Leave and Pay

An adopter may choose to bring their adoption leave to an early end and opt into Shared Parental Leave, provided they and their partner meet the statutory eligibility criteria.

Following the compulsory two-week period of adoption leave, eligible parents may share up to 50 weeks of Shared Parental Leave and up to 37 weeks of Shared Parental Pay. Full details are set out in the Trust's [Shared Parental Leave](#).

41.0 Notice of Intention to Take Adoption Leave

Employees must notify their Academy Head and Central HR in writing of their intention to take adoption leave within seven days of being notified by their adoption agency that they have been matched with a child for adoption, or as soon as reasonably practicable if this is not possible.

The notification must include:

- the date on which the child is expected to be placed with them for adoption; and
- the date on which they wish their adoption leave to begin.

Employees may change the intended start date of their adoption leave by giving at least 28 days' notice, or as much notice as is reasonably practicable where this is not possible.

Within 28 days of receiving notification, Central HR will confirm in writing the adoption leave arrangements.

42.0 Matching Certificate

Employees must provide a Matching Certificate, if requested, as evidence of their entitlement to Statutory Adoption Pay and Statutory Adoption Leave. The Matching Certificate is issued by the adoption agency and confirms the date on which the employee was matched with a child and the expected date of placement.

Employees should provide the Matching Certificate to the Academy Head and Central HR as soon as reasonably practicable following the request.

43.0 Contractual Benefits

During adoption leave, an employee remains employed under their contract of employment. All contractual terms and conditions continue to apply throughout the period of adoption leave, except those relating to remuneration, which are replaced by the applicable statutory and, where eligible, occupational adoption pay provisions.

During adoption leave, employees continue to benefit from their contractual terms and conditions, including continuity of employment, notice rights and protection in the event of redundancy. Other contractual benefits will continue in accordance with the employee's terms and conditions of employment.

44.0 Keeping in Touch (KIT) Days

An employee may, by agreement with the Trust, work or attend training for up to 10 Keeping in Touch (KIT) days during adoption leave without bringing their adoption leave or Statutory Adoption Pay to an end. KIT days are voluntary and must be agreed by both the employee and the Trust.

KIT days do not have to be consecutive and may be used for work, training, meetings or other activities that help the employee remain connected with the workplace. Any work undertaken for part of a day will count as one whole KIT day.

Employees will receive payment for work undertaken on a KIT day in accordance with the Trust's arrangements. Any payment made will take account of any Statutory Adoption Pay received for that week so that the employee does not receive more than their normal contractual pay.

45.0 Return to Work Following Adoption Leave

Employees who return to work at the end of their full adoption leave entitlement are not required to give further notice of their return.

Employees wishing to return to work before the end of their adoption leave must provide the required notice in accordance with their terms and conditions of employment and notify both their Academy Head and Central HR.

Employees returning after Ordinary Adoption Leave are entitled to return to the same job on the same terms and conditions. Employees returning after Additional Adoption Leave are also entitled to return to the same job unless this is not reasonably practicable. In those circumstances, the Trust will offer suitable alternative employment on terms and conditions that are no less favourable.

Employees who wish to change their working pattern or contractual hours on their return should discuss this with their Academy Head as early as possible. Any request will be considered in accordance with the Trust's [Flexible Working Policy](#).

Employees who decide not to return to work following adoption leave must provide notice in accordance with their contract of employment.

If an employee is unable to return to work due to sickness, the Trust's Sickness Absence Policy and normal sickness reporting procedures will apply.

46.0 Protection from detriment and dismissal

Employees will be protected from suffering detriment or unfair dismissal for reasons related to taking, or seeking to take, adoption leave. Employees who believe they have been treated unfairly should use the Trust grievance procedure.

47.0 Annual Leave

Employees will accrue annual leave throughout the adoption leave period, if they are entitled to this. Employees who return to work on a part-time basis will have leave accrued pro-rata from the effective date in the changed contract.

It is normally advised that employees take annual leave pro-rata for the year before adoption leave starts, but this should be agreed in advance. As far as possible, leave should be taken in the current leave year and if employees are taking additional adoption leave, employees may take holiday during that period, if it is pre-arranged.

Leave which cannot be taken may be carried forward into the subsequent leave year at the Academy Head's discretion. However, any such period of annual leave will be subject to operational requirements.

48.0 Flexible Working

Employees returning from adoption leave may wish to request a change to their working pattern, hours or place of work. Any such request will be considered in accordance with the Trust's [Flexible Working Policy](#) and the statutory right to request flexible working.

Employees are encouraged to discuss any proposed changes with their Academy Head and Central HR as early as possible to allow sufficient time for the request to be considered before their return to work.

49.0 Redundancy

Adoption leave counts as continuous service for employment purposes and does not affect an employee's statutory or contractual redundancy rights. Employees on adoption leave are entitled to the same redundancy protections as other employees and, where applicable, any additional protections provided by employment legislation.

50.0 Pre-Adoption Appointments

Employees who are adopting a child may be entitled to statutory paid or unpaid time off to attend adoption appointments before the child is placed with them, in accordance with current legislation.

The Trust recognises that the adoption process may require attendance at a range of appointments.

Employees should discuss anticipated appointments with their Academy Head as early as possible so that appropriate arrangements can be made. Where additional time off is requested beyond the statutory entitlement, requests will be considered on individual circumstances. Employees may be asked to use annual leave, flexitime (where applicable) or unpaid leave where appropriate.

Document Control

Changes History

Version	Date	Amended By	Details of Change
V1	18/08/2026	HoS People	Combination of Maternity and Paternity Policy, Adoption Entitlements Policy and Shared Parental Leave Policy into Family and Parental Leave Policy 2026. Complete review to include all statutory changes, risk assessment, associated forms and general guidance.

Approval

This policy will be reviewed annually by Head of Service for People or as required by changes in legislation.

At every review, this policy will be approved by the Executive Committee.

The policy was last approved by the Trust Board on 15.10.2026.

END OF DOCUMENT