

Family and parental leave policy

Bucklesham Primary School



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1. Aims

This policy aims to:

- › Set out our school’s approach to maternity, paternity, adoption and shared parental leave, and other family-related leave
- › Make sure our school is a family-friendly place to work by supporting staff members who need to take time off work for family-related reasons
- › Support all parties in managing family-related leave effectively and consistently, to ensure a fair and transparent approach across the school that complies with our duties under the Equality Act 2010 and Employment Rights Act 1996

This policy has been agreed following consultation with NASUWT.

This policy does not form part of any contract of employment or other contract to provide services, and we may amend it any time following consultation with NASUWT.

2. Legislation and guidance

This policy meets the requirements of:

- › [Conditions of Service for School Teachers in England and Wales](#) (the Burgundy Book)
- › [Data Protection Act 2018](#)
- › [Employee rights when on leave – GOV.UK](#)
- › [Employment Rights Act 1996](#)
- › [Employment: Statutory Code of Practice – the Equality and Human Rights Commission](#)
- › [Equality Act 2010](#)
- › [Induction for Early Career Teachers \(England\) – GOV.UK](#)
- › [Protecting pregnant workers and new mothers – the Health and Safety Executive](#)
- › [School Teachers' Pay and Conditions Document](#) (STPCD)
- › [The National Agreement on Pay and Conditions for Support Staff](#) (the Green Book)

It also reflects best-practice guidance set out in:

- › [The Advice, Conciliation and Arbitration Service \(Acas\)'s guidance on accommodating breastfeeding employees in the workplace](#)
- › [The Advice, Conciliation and Arbitration Service \(Acas\)'s guidance on holiday, sickness and leave](#)

3. Scope

3.1 Eligibility

This policy applies to all full-time and part-time staff who are employed directly by the school/local authority. Self-employed workers, volunteers and agency workers are not covered by this policy.

4. Data protection

All discussions and sensitive medical and personal information about staff members will be treated confidentially by all parties concerned. This data will be collected, used and stored in line with the Data Protection Act 2018. Please refer to our privacy notice for staff members for more detail on how data will be processed.

5. Roles and responsibilities

5.1 Headteacher

The headteacher is responsible for making sure that:

- › This family and parental leave policy is applied consistently across our school and that it is in line with equality legislation
- › 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 or shared parental leave, or other types of family-related leave
- › Giving due regard to equality legislation and taking any protected characteristics into consideration

5.2 Governing board

The governing board will approve this policy and hold the Headteacher to account for its implementation.

5.3 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 the Heateacher if necessary
- › Follow the procedures set out in this policy
- › Adhere to the stated time scales

6. Maternity leave (including for surrogates)

Any pregnant staff member employed by our school is entitled to 52 weeks of maternity leave. This is made up of:

- › 26 weeks of ordinary maternity leave first, followed by
- › 26 weeks of additional maternity leave

You do not have to take a full 52 weeks, but you must take:

- › A minimum of 2 weeks' leave following the birth of your baby
- › All of your maternity leave in one go

6.1 Starting maternity leave

You can start your maternity leave from up to 11 weeks before your baby is due.

Maternity leave will also start:

- › The day after you give birth if the baby is early (read more about premature birth in section 6.3 below)
- › Automatically if you are off work for a pregnancy-related illness in the 4 weeks before the week (Sunday to Saturday) that your baby is due

6.2 Claiming maternity leave

You must notify the Headteacher in writing at least 15 weeks before the beginning of the week that your baby is due:

- › That you are pregnant
- › When your baby is due
- › When you want to start your maternity leave. If you want to change the day you want to start your maternity leave, you must notify the Headteacher of the new day:
 - 28 days before your maternity leave was originally due to start
 - 28 days before the new date you want to start your leave (whichever of the 2 dates is earlier)

We will write to you within 28 days of your notice confirming your maternity leave start and end dates (for more information on notice periods for returning to work, see section 16 below).

6.3 Premature birth

If your baby is born prematurely*, the school will consider extending your maternity pay period. We will determine the extension and its length on a case-by-case basis, depending on your individual circumstances.

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

7. Maternity pay (including for surrogates)

You may be eligible for occupational maternity pay or statutory maternity pay, depending on how long you have worked at our school.

7.1 Occupational maternity pay

7.1.2 Teachers

Teachers are eligible for occupational maternity pay if they have worked continuously for at least 1 year with our school or another Local Authority school by the 11th week before the week that their baby is due.

If you are not eligible for occupational maternity pay, you may still be eligible for statutory maternity pay or maternity allowance. Read more about these in section 7.2 below.

Teachers eligible for occupational maternity pay can be paid for up to 39 weeks as follows:

- › At 100% of their salary for the first 4 weeks
- › At 90% of their salary for weeks 5 and 6
- › At 50% of their salary for weeks 7 to 18, plus the weekly rate of statutory maternity pay, unless this figure exceeds full pay in which case deductions will be made (see the government's latest weekly statutory maternity pay figure at <https://www.gov.uk/maternity-pay-leave/pay>)
- › At the weekly rate of statutory maternity pay for the remaining 21 weeks (see the link above to find out how much this is)

Conditions for occupational maternity pay

The school expects teachers to return to work in their school for at least 13 weeks as a qualifying condition for receiving occupational maternity pay. If a teacher does not do this, the school may require them to refund some or all of the occupational maternity pay that they have received after the 6th week of maternity leave. They will not be required to refund any statutory maternity pay that forms part of their occupational maternity pay.

The 13-week period starts:

- › From the date the teacher returns to work, or
- › The date after maternity leave ends. This includes both term time and school holidays

Teachers who do not intend to return to work after maternity leave will not be entitled to occupational maternity pay. They may still be entitled to statutory maternity pay or maternity allowance if they meet the criteria (see section 7.2 below).

Returning to work part time:

- › Teachers who were full time and choose to return to work on a part-time basis must return for a period that equates to 13 weeks of full-time service
- › Teachers working part time may return to work on a different part-time basis, but must return for a period that equates to 13 weeks of part-time service, relating to their previous contract

If a teacher is unable to return to work at the end of their maternity leave due to sickness, our school's sick pay scheme will apply. Please refer to our school's sickness and absence policy.

For more information on returning to work after maternity leave, including notice periods, see section 16 below.

7.1.3. Support staff

Support staff are eligible for occupational maternity pay if they have worked continuously for at least 1 year with our school by the 11th week before the week that the baby is due.

If you are not eligible for occupational maternity pay, you may still be eligible for statutory maternity pay or maternity allowance. Read more about these in section 7.2 below.

Support staff eligible for occupational maternity pay can be paid for up to 39 weeks, as follows:

- › At 90% of their salary for the first 6 weeks
- › At 50% of their salary for weeks 7 to 18, plus the weekly rate of statutory maternity pay, unless this figure exceeds full pay in which case deductions will be made (see the government's latest weekly statutory maternity pay figure at <https://www.gov.uk/maternity-pay-leave/pay>)
- › At the weekly rate of statutory maternity pay for the remaining 21 weeks (see the link above to find out the exact figure)

Note: staff must inform the school in writing that they intend to return to work after their maternity leave in order to claim occupational maternity pay for weeks 7 to 18.

Conditions for occupational maternity pay

The school expects support staff to return to work in their school for at least 3 months as a qualifying condition for occupational maternity pay. If a staff member does not do this, the school may require the staff member to refund some or all of the occupational maternity pay that they have received. They will not be required to refund any statutory maternity pay that forms part of their occupational maternity pay.

Where a staff member requests flexible working arrangements on their return to work, the school will consider these on a case-by-case basis. The return-to-work period must equate to 3 months of full-time work.

If a staff member is unable to return to work at the end of their maternity leave due to sickness, the school's sick pay scheme will apply. Please refer to our school's sickness and absence policy.

For more information on returning to work after maternity leave, including notice periods, see section 16 below.

7.2 Statutory maternity pay and maternity allowance (all staff)

You are eligible for statutory maternity pay if you:

- › Have been on the school's payroll continuously for at least 26 weeks continuing into the 15th week before the week that your baby is due
- › Earn more than the minimum threshold set out on the government's website – see the latest figure at <https://www.gov.uk/maternity-pay-leave/eligibility>
- › Notify the Headteacher at least 28 days before the date you want your maternity pay to start
- › Give proof of your pregnancy within 21 days before you intend to start your maternity pay. Please submit your doctor's letter or a maternity certificate (known as a MATB1 form) to the school office

Statutory maternity pay is paid for up to 39 weeks. The weekly amounts are:

- › 90% of your average weekly earnings for the first 6 weeks
- › At a weekly rate of statutory maternity pay for the next 33 weeks (see the latest weekly figure at <https://www.gov.uk/maternity-pay-leave/pay>)

If you are not eligible for statutory maternity pay, you may still be eligible for maternity allowance – read more about the allowance, including eligibility criteria and how much you can get, at <https://www.gov.uk/maternity-allowance>.

8. Paternity leave and pay

8.1 Statutory paternity leave (including for surrogacy)

You are entitled to take 1 week or 2 consecutive weeks* of statutory paternity leave if you have worked for the school for at least 26 weeks up to any day in the 15th week before the baby is due. This is different if you are adopting a child – see section 8.4 below for more information on paternity leave for adoption.

*A week is the amount of time that you normally work in a week (so a week is 2 days if you normally work on Mondays and Tuesdays only).

To be eligible, you must be responsible for the child's upbringing and be the:

- › Child's father
- › Partner of the person having a baby (including same-sex partner)
- › Child's adopter
- › Intended parent (if you are having a baby through surrogacy)

Paternity leave:

- › Cannot start before the baby is born
- › Must end within 56 days of the birth (or due date if the baby is early)

8.2 Statutory paternity pay (including for surrogacy)

You can find the latest statutory weekly rate of paternity pay on the government's website – <https://www.gov.uk/paternity-pay-leave/pay>.

To be eligible for statutory paternity pay, you must:

- › Have been continuously employed by the school for at least 26 weeks up to any day in the 15th week before the baby is due
- › Be employed by the school up until the date the baby is born
- › Earn more than the minimum threshold set out on the government's website (see the latest figure at <https://www.gov.uk/paternity-pay-leave/eligibility>)

Staff will usually be paid their statutory paternity pay during the week/s they are taking paternity leave.

8.3 How to claim statutory paternity leave and pay

You must tell the Headteacher at least 15 weeks before the baby is due:

- › The due date
- › When you want your leave to start (for example, the day of the birth or the week after the birth). If you want to change your start date, you must give us 28 days' notice
- › Whether you want to take 1 or 2 weeks' leave

8.4 Paternity leave and pay for adoption

To be eligible for paternity leave when adopting, you must:

- › Have worked for the school for at least 26 weeks by:
 - The end of the week you have been matched with a child for adoption in the UK, or
 - The date the child enters the UK for overseas adoption
- › Be the adopter, or partner of the adopter (this includes same-sex partners)

You:

- › Cannot start your leave before the child is born

- › Must end your leave within 56 days of the child's placement for adoption, or the child's arrival in the UK (for overseas adoptions)

You are also entitled to paid time off to attend 2 adoption appointments after you have been matched with your child.

To claim paternity leave for adoption, you must tell the school that you have been matched with a child within 7 days of this happening. You should also tell us:

- › The date you were matched with your child
- › The placement start date
- › Whether you want to take 1 or 2 weeks' leave
- › When you want the leave to start (if you want to change your start date, you must give us 28 days' notice)

To claim paternity pay for adoption, you need to tell us 28 days before you want the pay to start.

9. Adoption leave and pay (including for surrogacy)

All staff employed by our school who are adopting a child are entitled to 52 weeks of statutory adoption leave, made up of:

- 26 weeks of ordinary adoption leave, followed by
- 26 weeks of additional adoption leave

You will also get paid time off to attend 5 adoption appointments after you have been matched with a child.

Only 1 person in a couple can take adoption leave – the other partner could get paternity leave instead (read more in section 8.4 above).

9.1 Exceptions

You do not qualify for statutory adoption leave or pay if you:

- › Arrange a private adoption
- › Become a special guardian or kinship carer
- › Adopt a stepchild or a family member

9.2 Starting leave

You can start adoption leave:

- Up to 14 days before the date the child starts living with you (UK adoptions)
- When the child arrives in the UK or within 28 days of this date (overseas adoptions)
- The day the child is born or the day after (if you have used a surrogate to have a child)

9.3 Notice periods for leave

Within 7 days of being matched with a child you must tell the school:

- › How much leave you want to take
- › When you want to start leave
- › The date the child is placed with you

The school will confirm your leave start and end dates within 28 days of receiving your notice.

9.4 Adoption pay

You can receive statutory adoption pay for up to 39 weeks. The weekly amounts are:

- › 90% of your average weekly earnings for the first 6 weeks
- › At a weekly rate of statutory adoption pay for the next 33 weeks (see the latest weekly figure at <https://www.gov.uk/adoption-pay-leave/pay>)

You are eligible for statutory adoption pay if you:

- › Have been on the school's payroll continuously for at least 26 weeks by the week you are matched with the child. For overseas adoptions it is 26 weeks by the time you start receiving adoption pay
- › Earn more than the minimum threshold set out on the government's website – see the latest figure at <https://www.gov.uk/adoption-pay-leave/eligibility>
- › Notify us at least 28 days before the date you want your adoption pay to start
- › Submit proof of the adoption to your school office] (read about the proof you need at <https://www.gov.uk/adoption-pay-leave/how-to-claim>)

9.5 Notice periods for pay

You must give the school 28 days' notice:

- › That you want to stop work and adopt a child
- › When you want your statutory adoption pay to start

The school will confirm within 28 days of this notice how much statutory adoption pay you will receive and when it will start and stop.

Overseas adoptions: you must tell us the date of your 'official notification' and when you expect the child to arrive in the UK within 28 days of getting the notification.

10. Shared parental leave and pay

Shared parental leave can be complex, so please speak to the Headteacher if you are thinking about taking shared parental leave and have any questions.

10.1 How it works

Eligible staff members and their partners can share up to 50 weeks of leave and up to 37 weeks of pay between them. (Note that the first 2 weeks of leave and pay, starting from the day the baby is born, must be reserved for the person taking maternity or adoption leave.)

You or your partner (whichever of you is taking maternity or adoption leave) needs to take less than:

- › 52 weeks of maternity or adoption leave and use the rest as shared parental leave
- › 39 weeks of maternity or adoption pay (or maternity allowance) and take the rest as statutory shared parental pay

To take shared parental leave and pay, you and your partner:

- › Must share the leave and pay in the first year after your child is born or placed with your family
- › Can take the leave all in one go, or book up to 3 separate blocks of leave
- › Can choose to be off work together, or stagger your leave and pay

Note that once you or your partner start shared parental leave or pay, you cannot switch back to the original type of leave or pay (e.g. maternity or paternity leave or pay) you were taking.

See the government's [shared parental leave and pay planning tool](#) to check when you and your partner can take your leave.

10.2 Amount of pay

Any shared parental pay due during shared parental leave will be paid at a rate set by the government for the relevant tax year, or at 90% of the staff's average weekly earnings, if this figure is lower than the government's weekly rate. See the latest amount on <https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>.

10.3 Eligibility

You and your partner need to meet the eligibility criteria set out on the government website – the criteria are different for [birth parents](#), [adoptive parents and parents using a surrogate](#).

10.4 Applying for leave and pay

To start shared parental leave:

- › Both you and your partner must, with 8 weeks' notice:
 - Give an initial, non-binding indication of each period of shared parental leave and pay that you are requesting
 - Set out the start and end dates of each period of shared parental leave that you are requesting. You can change your mind later about how much shared parental leave or pay you plan to take and when you want to take it, as long as you give at least 8 weeks' notice of these
- › The person taking maternity or adoption leave must give their employer 'binding notice' of the date when they plan to end their maternity or adoption leave (unless they have already returned to work). They must give this notice at least 8 weeks before their planned return to work

To apply please download and fill in the [templates provided by Acas](#).

They can only withdraw the binding notice if the planned end date has not passed and they have not already returned to work, **and**:

- › They discover that they and their partner are **not** entitled to shared parental leave or statutory shared parental pay, and they withdraw the notice within 8 weeks of giving the notice, or
- › They gave the notice before the birth or placement of the child and withdraw it within 6 weeks of the child's birth or placement, or
- › Their partner has died

To start shared parental pay: the person taking maternity or adoption leave must give their employer 'binding notice' of the date when they plan to end their maternity or adoption pay. You can start shared parental pay while your partner is still on maternity pay, adoption pay or maternity allowance, as long as they have given binding notice to end it.

11. Antenatal care

All pregnant staff are entitled to take reasonable time off work, with full pay, to attend antenatal appointments. Further approval from the Headteacher will be needed to attend antenatal care such as relaxation and parent craft classes, during working hours.

To be entitled to this, the school will ask you to produce a certificate from your doctor, nurse or midwife that states that you are pregnant. Except for the first appointment, you should also produce evidence of the appointment, such as an appointment card.

11.1 Partners of pregnant staff and intended parents (in a surrogacy or adoption arrangement)

You are entitled to paid time off to accompany the pregnant person to 2 antenatal appointments, more time may be granted at the discretion of the Headteacher. You can take up to 6 and a half hours per appointment, if needed.

The school may request to see evidence of these appointments.

11.2 Antenatal care when having a child through IVF

You will be allowed time off for antenatal care only after the fertilised embryo has been implanted. For information on time off for fertility treatment and IVF, please also see the school's sickness and absence policy.

12. Health and safety risk assessments during and after pregnancy

After a staff member has notified the Headteacher that they are pregnant, the school will review its workplace risk assessment in line the staff member's role to make necessary adjustments.

When a staff member returns to work from maternity leave, the school will conduct an individual risk assessment that covers the staff member's specific needs if the staff member is:

- Returning to work fewer than 6 months after giving birth
- Breastfeeding (read more about support for staff who are breastfeeding in section 17 below)

13. Loss of a pregnancy

The loss of a pregnancy can be extremely painful, both physically and mentally. Our school is committed to supporting all staff members who suffer the loss of a pregnancy, whatever the nature of their loss or their length of employment.

13.1 Miscarriage

This is where a loss of pregnancy happens before the 24th week.

Staff who have had a miscarriage are entitled to a 2-week period of paid leave, which may be extended depending on individual circumstances. We encourage you to speak to the Headteacher to enable us to support you as best as we can through this difficult time.

The school will consider staff absence due to miscarriage as pregnancy-related illness. We will not count this absence when reviewing staff's attendance records. Read more about this in our sickness and absence policy.

This 2 week paid leave is also extended to partners, adoptive parents and intended parents (if using a surrogate) after a miscarriage.

13.2 Still birth

This is where a baby is stillborn or dies after the 24th week of pregnancy.

Staff who have had a still birth are entitled to up to 52 weeks of leave, in line with statutory maternity leave and pay (see sections 6 and 7 for more information).

Staff whose partners have had a still birth, or whose babies are born alive at any point during the pregnancy are entitled to 1 or 2 weeks of leave and pay (see section 8 for more information).

In addition, the birth parents, adoptive parents or parents of a child born to a surrogate are entitled to 1 or 2 weeks of statutory parental bereavement leave after finishing their maternity or paternity leave. Please also refer to the sickness and absence policy.

You may also be eligible for statutory parental bereavement pay –read the government's [guidance on statutory parental bereavement and pay](#) to find out more.

14. Keeping in touch during leave

Staff and the Headteacher will discuss how often they will communicate while the staff member is on leave, and what form the communication will take. If you have any questions or concerns, or to discuss any leave extensions, please speak to the Headteacher.

14.1. Keeping in touch (KIT) days during maternity or adoption leave

Staff can work up to 10 days during their maternity or adoption leave. These are known as KIT days and are:

- › Paid – KIT days will be paid for the hours worked as the normal hourly rate in that month's payroll
- › They need to be agreed with the Headteacher

14.2. Shared parental leave in touch (SPLIT) days

Staff can work up to 20 days during shared parental leave. This is in addition to the 10 KIT days staff can take while on maternity or adoption leave (see above). As with KIT days, SPLIT days are paid and entirely voluntary.

15. Employment terms and conditions while on leave

Your employment terms and conditions are protected when you are on leave. You are entitled to any pay rises and improvements in terms and conditions during this time.

Maternity, paternity, adoption and shared parental leave are regarded as continuous employment for the purpose of calculating entitlement to statutory employment rights (such as redundancy, unfair dismissal rights and notice requirements).

15.1 Pensions

You will continue to be entitled to pension contributions during periods of leave that are paid. Pension contributions will stop during any unpaid periods of leave. Please check your employment contract for more details.

15.2 Annual leave entitlements

Your annual leave entitlement will continue to accrue during periods of leave. You can take any holiday that you have accrued before or after your maternity, paternity, adoption or shared parental leave.

16. Returning to work after maternity, paternity, adoption or shared parental leave

16.1 Your right to your job (all staff)

Where you have been on leave for:

- › **26 weeks or less** (for shared parental leave this means 26 weeks between both partners): you are guaranteed the same job in which you were employed under your original contract, and on terms and conditions that are at least as favourable
- › **More than 26 weeks** (for shared parental leave this means 26 weeks between both partners): you are guaranteed the same job in which you were employed under your original contract, unless the school has a good reason to offer you another job. If your job no longer exists or there have been changes to the organisation, the school will offer you a suitable alternative job which has the same or better terms or conditions

16.2 Returning to work earlier or later (maternity, adoption or shared parental leave)

If staff wish to change the date that they return to work from maternity, paternity or adoption leave, they should discuss this with the Headteacher as soon as possible. The staff member must notify the school in writing at least:

- › 21 days before the day on which they propose to return, if this is earlier than the original date. Where they give less than 21 days' notice, we may postpone their return, but not beyond the end of the original maternity leave period

- › 8 weeks before the original return date, if the new date is later than the original return date

Please note that:

- › If a staff member is unable to return to work due to sickness at the end of their leave period, our sickness and absence policy will apply
- › Staff may be able to take unpaid parental leave immediately following the end of their leave period. If you wish to do this, discuss it with the Headteacher as soon as possible. Read more about unpaid parental leave in section 18 below)

17. Breastfeeding

If you intend to continue breastfeeding after returning to work from maternity leave, please speak to the Headteacher as soon as possible so that we can support you the best we can.

The school will provide a suitable area where staff who are breastfeeding can rest – the upstairs Office.

Note that this area should:

- › Include somewhere to lie down, this may be with a temporary camp bed if needed
- › Be hygienic, safe, secure, and private so staff can express milk if they choose to – toilets are not a suitable place for this
- › Include somewhere to store their milk, for example a fridge – in the staffroom

Staff who are breastfeeding are entitled to more frequent breaks. We encourage you to talk to your line manager so you can agree the timing and frequency of breaks.

18. Unpaid parental leave

Note: this section refers to the rights that staff have to unpaid parental leave **after** they have finished maternity, paternity or shared parental leave; it should not be confused with maternity, paternity or shared parental leave itself.

18.1 What staff are entitled to

Staff can take up to 18 weeks of unpaid leave for each child and adopted child up to their 18th birthday.

The limit on how much parental leave each parent can take in a year is 4 weeks for each child.

The purpose of the leave must be to look after your child's welfare, for example to:

- › Spend more time with your child
- › Look at new schools
- › Settle your child into new childcare arrangements
- › Spend more time with family, such as visiting grandparents

You must take parental leave as whole weeks, rather than individual days. Note: a week is the amount of time that you normally work in a week (so a week is 2 days if you normally work on Mondays and Tuesdays only).

18.2 Eligibility

You are eligible for unpaid parental leave if the child is under 18 and you:

- › Have been working at our school continuously for more than 1 year
- › Are named on the child's birth or adoption certificate, or you have or are expected to have parental responsibility
- › Are not a foster parent (unless you have secured parental responsibility through the courts)

18.3 Giving notice

You must give the Headteacher written notice at least 21 days before the day you intend to start your leave.

You must confirm the start and end dates in your notice.

18.4 Taking unpaid parental leave immediately after maternity, paternity, adoption or shared parental leave

Speak with the Headteacher if you wish to take unpaid parental leave immediately following:

- Maternity leave. You will not be required to refund occupational maternity pay (as explained in sections 7.1.2 and 7.1.3 above) unless you do not return to work in your school for at least 13 weeks after you finish your unpaid parental leave
- Adoption leave. You will not be required to refund occupational adoption pay unless you do not return to work in your school for at least 13 weeks after you finish your unpaid parental leave
- Paternity leave
- Shared parental leave

18.5 Postponing leave

The school will grant staff's requests for unpaid parental leave whenever possible, and will ask staff to postpone their requested leave only for significant reasons (e.g. if it would cause serious disruption to the running of the school). We will **not** ask staff to postpone leave if:

- It is being taken by the father or partner immediately after the birth or adoption of a child
- It means a staff member would no longer qualify for parental leave, e.g. postponing it until after the child's 18th birthday

If the school or trust postpones the leave, we will:

- Within 7 days of the original request, write to the staff member explaining why their leave has been postponed
- Suggest a new start date within 6 months of the requested start date
- Not change the amount of leave being requested

18.6 Staff rights during leave

Your employment rights, such as the right to pay and annual holiday, are protected during unpaid parental leave.

Where you are on unpaid parental leave for:

- **4 weeks or less:** you are guaranteed the same job in which you were employed under your original contract, and on terms and conditions that are at least as favourable
- **More than 4 weeks:** you are guaranteed the same job in which you were employed under your original contract, unless the school has a good reason to offer another job. If the job no longer exists or there have been changes to the organisation, the school will offer you a suitable alternative job which has the same or better terms or conditions

19. Time off for dependants

Staff have the right to take a reasonable amount of unpaid time off to help a dependant in an unexpected event. If you need time off, notify the Headteacher as soon as possible so that the best next steps can be arranged.

A dependant may include your:

- Spouse, partner or civil partner

- › Child
- › Parent

A dependant may also be someone who:

- › Lives in your household (excluding tenants or lodgers)
- › Would rely on you for help in the event of an accident, illness or injury, such as an elderly neighbour
- › Relies on you to make care arrangements

An unexpected event may include:

- › Where a dependant falls ill, is injured or assaulted (this could be as a result of a deterioration of an existing condition) or has to go to hospital because they go into labour unexpectedly
- › Dealing with an unexpected disruption or breakdown of care arrangements for a dependant – e.g. if a childminder or nurse fails to turn up as arranged, or the nursery or nursing home has to close unexpectedly
- › Dealing with an unexpected incident involving your child during school hours
- › Dealing with the death of a dependant. Read more about taking compassionate leave in the school's sickness and absence policy. You may also be able to receive statutory parental bereavement and pay – for more information on this, read our sickness and absence policy.

The school will also consider giving time off for events which may be foreseen, but which are of a serious nature that make your presence necessary. This may include time off to settle an elderly relative into a care home or to attend a hospital appointment or planned operation with your child or partner.

20. Early career teachers: extending the induction period to reflect leave periods

Early-career teachers (ECTs) who are serving their induction period or an extension to their induction period can decide to extend this period to reflect the number of days they have been absent due to:

- › Maternity leave
- › Paternity leave
- › Adoption leave
- › Shared parental leave
- › Parental bereavement leave

The ECT should seek advice before deciding, by discussing it with the Headteacher.

The school will not make any outstanding assessments until the ECT returns to work and has had the opportunity to decide whether to extend (or further extend) their induction period. The school will grant such a request.

If the ECT chooses not to extend (or further extend) the induction period, the school will assess their performance against the Teachers' Standards.

21. Flexible working

All staff can request flexible working, not just parents and carers. However, becoming a parent or carer and looking after children might make you think again about your flexible working options.

To find out about our school's flexible working arrangements, see our flexible working policy.

22. Monitoring arrangements

This policy will be reviewed every 2 years by the Headteacher.

At every review, this policy will be approved by the full governing body.

23. Links to other policies

This policy links to the following policies:

- Data protection policy
- Flexible working policy
- Health and safety policy
- Staff code of conduct
- Staff sickness and absence policy
- Staff mental health and wellbeing policy