MATERNITY, ADOPTION AND FAMILY LEAVE POLICY FOR SCHOOL BASED STAFF

Maternity, Adoption and Family Leave (including Paternity Leave, Birth Leave, Shared Parental Leave and Parental Leave)

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SCOPE

This policy applies to all school-based staff and also includes Teachers employed directly by Leeds City Council.

This policy has been developed in recognition of the statutory requirements covering maternity and adoption provisions, as well as other entitlements to support working families.

The document provides a summary of employees' entitlements to leave and pay. It is not a comprehensive summary of employees' legal rights and in any case of dispute on interpretation, the wording used in legislation, Conditions of Service Handbooks and in Local Agreements will take precedence. Leeds City Council recognises the importance of family friendly approaches to working. Further information regarding these provisions can be found in the Schools Leave of Absence Policy and the Schools Flexible Working Guidance, which can be provided by your Headteacher.

1 Guide to Maternity Provision

1.1 Notifying your employer

1.1.1 As soon as reasonably practical, employees should notify their Headteacher or Line Manager that they are pregnant, which will enable a pregnancy risk assessment to be carried out.

1.1.2 It is very important for the employer to assess if any of the duties an employee is undertaking may put the member of staff or the baby's health at risk. Normally employees will be allowed to continue in their existing job unless risks are identified through a pregnancy risk assessment. If employees have any concerns or worries, it is important that they are raised and discussed with the Headteacher or with the Leeds City Council Health & Safety Team, at the earliest opportunity.

1.2 Right to time off for Ante-Natal Care

1.2.1 Time off with pay will be given for ante-natal care. Employees are asked to inform the Headteacher as far in advance as possible, of the date and time of an appointment and the best estimate of the length of absence from work, including travelling time. Employees should seek to arrange appointments at the beginning or the end of the day, although schools recognise this may not always be possible. To request time off for ante natal appointments the employee must complete a leave of absence form for approval.

1.2.2 Examples of Ante-natal care include:

- Appointments with a GP or registered Midwife
- Hospital appointments for scans or tests
- Other appointments made on the recommendation of the employee's GP, registered midwife or other health professional
- Relaxation and Parent Craft classes

If employees are not sure whether a particular appointment is included in one of the above categories, they should contact their Headteacher for further advice.

1.2.3 Except in the case of the first appointment, employees will be required to produce to their Headteacher a letter, text message or other document showing that the appointment has been made.

1.2.4 The time taken to attend such appointments within an employee's working hours for that day will be paid at the usual rate provided they have supplied evidence of the appointment.

1.2.5 Headteachers should accommodate additional appointments in certain circumstances, such as a high-risk pregnancy.

1.3 The Expected Week of Childbirth (EWC)

1.3.1 The employee's doctor or midwife will provide a MAT B1 certificate stating the expected week of childbirth. This will be issued after the 20th week of pregnancy. This certificate is required to claim Statutory Maternity Leave and Pay, if eligible.

1.3.2 As soon as the expected date of birth is confirmed on the MATB1 certificate, the earliest date for starting the period of maternity leave can be calculated, which is the beginning of the 11th week before the expected week of childbirth (EWC). To calculate this date employees should count back 11 weeks from the Sunday before the date of expected birth.

1.3.3 Employees may commence maternity leave any time between this date and the expected date of birth. When the employee gives birth, their maternity leave will commence the next day

1.4 Sickness absence

1.4.1 Sickness absence before the start of maternity leave, which is certified as being unrelated to pregnancy shall be treated as sick leave. If, however the cause of absence is wholly or partly related to the pregnancy and occurs during the four weeks before the EWC then maternity leave shall commence on the day after the employee's first complete day of sickness. Headteachers should seek advice from HR and have a conversation with the employee around their circumstances before taking this step.

1.5 Entitlement to Maternity Leave and Pay

1.5.1 This policy applies to both teachers and support staff and details the right to maternity leave and maternity pay, subject to sufficient qualifying service and your decision as to whether you intend to return to work

1.5.2 All the rights described in this section apply to full-time and part-time staff, irrespective of how many hours they work, but are subject to length of service.

1.6 Entitlement to Maternity Leave

1.6.1 All employees are entitled to 52 weeks' maternity leave regardless of the number of hours worked or length of service. This is made up of two elements known as Ordinary Maternity Leave (OML) which is the first 26 weeks maternity leave and Additional Maternity Leave (AML) which is made up of a further 26 weeks maternity leave.

1.6.2 Support staff with 26 weeks service with the Local Authority at the 11th week before the EWC can take up to 63 weeks maternity leave (11 weeks before the birth and 52 weeks after).

1.6.3 An employee must notify her employer at least 15 weeks (or 14 weeks in the case of a teacher), or as soon as reasonably practicable before she intends to start her leave: that she is pregnant, when the Expected Week of Childbirth (EWC) will be and provide a MATB1, which will be issued by her midwife after the 20th week of pregnancy, when she intends to start her maternity leave.

1.6.4 The employee will be required to notify their employer of their intention to take maternity leave by the 15th week before their EWC (or by the 14th week in the case of a teacher) unless this is not reasonably practicable.

1.6.5 An employee will be able to change her mind about when they start their leave providing, they tell their employer at least 28 days in advance (unless this is not reasonably practicable).

1.6.6 **Teachers must notify their employer at least 21 days before they wish to commence maternity leave.**

1.6.7 There is a requirement on employers to respond to an employee's notification of their leave plans within 28 days. An employer will need to write to the employee setting out the date on which they are expected to return to work. Unless notified otherwise, Headteachers should assume that the employee will be taking their full entitlement to maternity leave.

1.7 Claiming maternity leave entitlement

1.7.1 To apply for maternity leave and to receive the pay provisions under both the Occupational Maternity Scheme and Statutory Maternity pay the employee must complete the relevant maternity documentation which must be sent with the MAT B1 form to their Headteacher. This must be sent no later than the 15th week (or 14th week in the case of a teacher) before the expected week of confinement (EWC) to ensure the employee receives 52 weeks maternity leave.

1.8 Entitlement to Maternity Pay

1.8.1 There are two key entitlements:

- Entitlement to Statutory Maternity Pay (SMP)
- Entitlement to Occupational Maternity Pay (OMP)

1.9 Statutory Maternity Pay (SMP)

1.9.1 SMP is a weekly payment. The weekly rate is set by the Government and is taxable. National insurance may also be payable. SMP is available to all staff providing they have the required continuous service set out below.

1.9.2 To qualify an employee must have 26 weeks continuous service up to and including the 15th week before the baby is due, to be entitled to receive Statutory Maternity Pay (SMP) for a maximum of 39 continuous weeks with the remaining 13 weeks leave being unpaid.

1.9.3 SMP is paid whether or not the employee intends to return to work for their employer, providing she is still working for the employer at the 15th week before the EWC. Where staff are entitled to Occupational Maternity Pay, SMP is offset against OMP.

1.9.4 SMP cannot start earlier than the start of the maternity leave period i.e. the 11th week before the EWC unless your baby is born early.

1.10 Maternity Allowance

1.10.1 Employees who do not qualify for SMP may be entitled to Maternity Allowance (MA). Entitlement to MA is based on employment and earnings in the 66 weeks ending with the week before the expected week of childbirth. Further information can be obtained from ante natal clinics and the Department of Work and Pensions (DWP).

1.10.2 Please note that if you have been on long term sickness prior to your maternity leave it may in certain circumstances, affect your entitlements. Please discuss this with your Headteacher who will contact BSC for further information

1.11 Occupational Maternity Pay (OMP) Support staff

1.11.1 The entitlement to full OMP is based on the following:

If an employee has 26 weeks' continuous service with their current employer at the 11th week before the expected week of childbirth, they will be eligible to receive OMP as follows:

- 6 weeks at 9/10 pay (includes SMP where payable)
- 4 weeks at 9/10 pay (includes SMP where payable)
- 20 weeks half pay (plus SMP where payable)
- 9 weeks standard rate SMP or 9/10 pay whichever is lower

Please see the following table for qualifying entitlements:

Guide to Maternity Pay – Support Staff		
At least 26 weeks continuous service with current employer at the 11th week before EWC	**Less than 26 weeks continuous service with current employer at the 11th week before EWC but at least 1 years' continuous service with one or more local authority at the 11th week before EWC**	**Less than 26 weeks continuous service with current employer at the 11th week before EWC and less than 1 year continuous service with one or more local authority at the 11th week before EWC**
Max leave entitlement: **Up to 11 weeks before EWC and 52 weeks after** **Pay:** • 6 weeks at 9/10 pay **(includes SMP or MA*)** • 4 weeks at 9/10 Pay **(includes SMP or MA*)** • 20 weeks 1/2 pay **plus SMP or MA*, capped at normal rate of pay** • 9 weeks standard rate SMP/MA* or 9/10 pay **whichever is lower.** • 13 weeks unpaid leave	Max leave entitlement: **52 weeks** **Pay:** • 6 weeks at 9/10 pay **(offset by MA*)** • 12 weeks 1/2 pay **plus MA*, capped at normal rate of pay** • 21 weeks MA* • 13 weeks unpaid leave	Max leave entitlement: **52 weeks** **Pay:** May be eligible for Maternity Allowance (MA)*
At least 26 weeks continuous service with current employer at the 11th week before EWC	**Less than 26 weeks continuous service with current employer at the 11th week before EWC but at least 1 years' continuous service with one or more local authority at the 11th week before EWC**	**Less than 26 weeks continuous service with current employer at the 11th week before EWC and less than 1 year continuous service with one or more local authority at the 11th week before EWC**

Occupational Maternity Pay paid during maternity leave is only payable on the condition that the employee returns to work for at least 13 weeks (or longer if the return is on a part-time basis)	**Occupational Maternity Pay paid during the first 18 weeks of maternity leave is only payable on the condition that the employee returns to work for at least 13 weeks (or longer if the return is on a part-time basis)**	Not eligible for Occupational Maternity Pay.

** Entitlement to Statutory Maternity Pay (SMP) is dependent on your level of earnings at the Qualifying Week (the 15th week before the Expected Week of Confinement - EWC) and your length of service. If your average earnings on this date are lower than the amount on which National Insurance is payable, you are not eligible for SMP and Maternity Allowance (MA) may be payable. Eligibility for Maternity Allowance (MA) is dependent on NI contributions and is administered by the Department for Work and Pensions (DWP).*

1.12 Occupational Maternity Pay (OMP) – Teaching Staff

1.12.1 The entitlement to full OMP is based on the following:

Teachers under the Burgundy Book (local authority employment) conditions of service, with 26 weeks continuous service with their current employer and at least one year or more continuous service within one or more LAs or any organisation recognised under the Modification Order 1999 and under the locally agreed Leeds Schools Continuous Service and Academies Policy 2009, will be entitled to the full statutory entitlements and the full entitlement under the Burgundy Book.

1.12.2 Under the Burgundy Book entitlements, the qualifying date is the 11th week before the EWC.

Please see the table on the next page for qualifying entitlements:

Guide to Maternity Pay – Teachers			
At least 26 weeks continuous service with current employer at the 15th week before EWC and not less than 1 years' continuous service with one or more local authority	**Less than 26 weeks continuous service with current employer at the 15th week before EWC but not less than 1 years' continuous service with one or more local authority at the beginning of the 11th**	**At least 26 weeks continuous service with current employer at the 15th week before EWC but less than 1-year continuous service with one or more local authority at the 11th week before**	**Less than 26 weeks continuous service with current employer at the 15th week before EWC and less than 1-year continuous service with one or more local authority at the**

at the beginning of the 11th week before EWC	week before EWC	EWC	11th week before EWC
• 4 weeks full pay (off set by SMP) • 2 weeks 9/10ths of a week's salary (off set against payments of SMP) • 12 weeks at half pay plus SMP (capped at normal rate of pay) • 21 weeks SMP • Max 13 weeks unpaid leave to the date of the return of the Teacher Occupational Maternity Pay paid during the first 18 weeks of maternity leave is only payable on the condition that the Teacher returns to work for at least 13 weeks (or longer if the return is on a reduced hour basis)	• 4 weeks full pay (off set by MA if applicable*) – (No SMP will be payable to an employee who does not meet the requirements for SMP). • 2 weeks 9/10ths of a week's salary (off set against MA if applicable *) • 12 weeks at half pay (plus MA if applicable*) • 21 weeks MA (if applicable *) • Max 13 weeks unpaid leave to the date of the return of the Teacher *Eligibility for Maternity Allowance (MA) is dependent on NI contributions and is administered by the Benefits Agency Occupational Maternity Pay paid during the first 18 weeks of maternity leave is only payable on the condition that the Teacher returns to work for at least 13 weeks (or longer if the return is on a reduced hour basis)	• Entitlement to Statutory Maternity Pay (SMP) only. • 6 weeks at 9/10ths of a week's salary (off set against payments of SMP) • 33 weeks at SMP • Max 13 weeks unpaid Leave to the date of the return of the Teacher	Statutory Maternity Allowance (MA) may be payable* Maximum 52 weeks leave

** Entitlement to Statutory Maternity Pay (SMP) is dependent on your level of earnings at the Qualifying Week (the 15th week before the Expected Week of Confinement - EWC) and your length of service. If your average earnings on this date are lower than the amount on which National Insurance is payable, you are not eligible for SMP and Maternity Allowance (MA) may be payable. Eligibility for Maternity Allowance (MA) is dependent on NI contributions and is administered by the Department for Work and Pensions (DWP).*

1.13 Premature births

1.13.1 Under 'The Smallest Things Best Employer Charter' Leeds City Council recognises the impact on families both financially and emotionally when a baby is born early.

1.13.2 Where an employee's baby is born prematurely, all employees will be entitled to receive the same amount of maternity leave and pay as if their baby were born full term. The employee may choose to receive extended maternity pay and leave entitlements at the end of the statutory maternity pay period or at the end of the maternity leave period. Extended maternity pay will be paid at the employee's full rate of pay.

1.13.3 Where a baby is born prematurely, 2 weeks paid leave in addition to Paternity leave is provided.

1.13.4 If you have a baby before 37 weeks, please make your Headteacher aware as soon as possible to confirm the premature birth to be able to access the extended entitlements.

1.13.5 Arrangements will be put in place to pay extended maternity pay and calculate additional maternity leave.

1.14 Resigning whilst pregnant

1.14.1 Where a teacher decides to resign from their post prior to the 11th week before expected childbirth, they may do so in line with teacher resignation dates, irrespective of the fact that they are pregnant.

1.14.2 Additionally, a teacher who has at least one year's continuous service at the 11th week before the expected week of childbirth: may resign for maternity reasons, giving 21 days' notice for employment to terminate during the 11th week prior to the expected week of confinement (i.e., giving at least 14 weeks' prior notice of the expected date of childbirth).

1.14.3 If the employee wishes to work beyond this date and is medically fit to do so, their employment will terminate at an agreed later date.

1.14.4 Salary will normally cease on the last working day unless the employee has continued working up to the end of term or the day before the start of a new term, whichever is earlier. The employee will still be entitled to SMP.

1.15 Repaying Occupational Maternity Pay

1.15.1 OMP payments made to all employees during Maternity Leave are made on the understanding that the employee will return to work either within one or more LAs or any organisation recognised under the Modification Order 1999 and under the locally agreed Leeds Schools Continuous Service and Academies Policy 2009, for a period of at least 3 months after the maternity leave period. This period would extend, on a pro rata basis, if the employee was to return working fewer hours than they worked prior to maternity leave.

1.15.2 In the event of the employee not being available, or being unable, to return to her job for the required period, they shall repay the OMP payments made during their maternity leave other than those made during the first 6 weeks of leave.

1.15.3 If an employee resigns from their post without having returned to work for the requisite period of time they will be required to repay the OMP payments made during her maternity, apart from those made during the first 6 weeks of maternity leave.

1.15.4 If an employee resigns from their post and immediately takes up another post with one of more LAs or any organisation recognised under the Modification Order, 1999 and under the locally agreed Leeds Schools Continuous Service and Academies Policy 2009, they shall not be required to repay any Occupational Maternity Payments made during her maternity leave.

1.15.5 Should an employee be made compulsorily redundant or decide to take voluntary redundancy during her period of maternity leave, or during the first 3 months of returning to work (or extended period on a pro rata basis), they will not be required to pay back the Occupational element of their maternity pay. Statutory Maternity Payments are not repayable.

1.16 Returning to Work

Unless stated otherwise, the employer will assume the employee intends to return to work after maternity leave. However, when completing the MA1 form, there are three options available;

a) To return to work

To qualify for Occupational Maternity Pay it must be the employee's intention to return to work at the school or with one of more LAs or any other organisation recognised under the Modification Order 1999 and under the locally agreed Leeds Schools Continuous Service and Academies Policy 2009, following maternity leave for a minimum period of 3 months. This period would extend, on a pro rata basis, if the employee was to return working fewer hours than they worked prior to maternity leave.

b) Unsure if returning to work

An employee may choose to defer the decision until after the birth - if the employee states on the MA1 form that they are unsure about whether to return to work, they will not receive occupational maternity pay. If they decide at a later date to return to work, then any remaining entitlements will be paid to them following the completion of 3 months (or pro rata) service.

Employees who decide not to return to work after the period of maternity leave will be required to resign giving at least 21 days' notice in writing to the school.

c) Not returning to work

An employee may choose to notify the school and payroll on the MA1 form of their intention to not return to work after the period of maternity leave. and they will not receive occupational Maternity pay.

If they decide at a later date to return to work, then any remaining entitlements will be paid to them following the completion of 3 months (or pro rata) service.

1.17 Notice of Returning to Work

1.17.1 An employee does not need to give her employer advanced notice if they intend to access the full entitlement to ordinary and additional maternity leave (i.e. 52 weeks maternity leave).

Notice required – returning to work (Support Staff)

However, if the employee intends to return before the end of the full entitlement, they must give not less than 8 weeks' notice in writing of the proposed return date. The employer has the right to postpone any request to return to work earlier than planned, until they have had the 8 weeks' notice required (as long as this is not postponed beyond the 52 week Maternity Leave period).

Notice required – returning to work (Teachers)

Under the Burgundy Book (paragraph 7.1 of Section 5) teachers must give 21 days' notice in writing if they wish to return before the end of their full entitlement. The school has the right to postpone any request to return to work earlier than planned, until they have had the 21 days' notice required (as long as this is not postponed beyond the 52 week Maternity Leave period).

1.17.2 Employees have the following legal rights when returning to work following a period of maternity leave:

- If returning during or at the end of the first 26 weeks (ordinary maternity leave) they are entitled to return to the same job on the same terms and conditions that they had before going on maternity leave, unless this is not reasonably practicable by reason of redundancy.
- If the employee takes more than 26 weeks leave (additional maternity leave) they are also entitled to return to the same job on the same terms and conditions unless this is not reasonably practicable by reason of redundancy. If however there is some reason other than redundancy why it is not reasonably practicable for the employee to return to her original job, she is entitled to be offered suitable alternative work on terms and conditions no less favourable than their substantive post.

1.18 Surrogacy and Maternity entitlements

1.18.1 Every pregnant employee has the right to maternity leave and pay as outlined above, and to return to their job after this. What a surrogate does after the child is born does not affect their right to maternity leave or maternity pay.

1.19 Pensions and Annual Leave during Maternity Leave

1.19.1 The contract of employment continues during maternity leave. With the exception of normal remuneration, the employee will continue to receive contractual benefits throughout their Maternity Leave. This applies during ordinary maternity leave (OML) and additional maternity leave (AML).

For Teachers

Pension: Where a teacher is absent due to family leave (maternity, paternity, parental and adoption leave), such absence is treated as pensionable employment if the teacher is receiving at least half pay or is being paid statutory family leave.

If half pay or statutory pay ceases, then this is non pensionable employment and does not count for pension purposes. However, keeping in touch (KIT) days paid in an unpaid period will usually be pensionable.

Annual Leave: Under the Working Time Regulations 1998 (as amended), teachers have a statutory right to paid annual leave amounting to 5.6 weeks (equivalent to 28 days for full-time staff, pro rata for part-time staff).

Please note this is not an additional entitlement to annual leave on top of the current school closure arrangements.

For Support Staff:

Pension: Employees will continue to pay pension contributions on maternity, paternity, parental and adoption pay whether the pay element is a 9/10ths full pay or half pay. Payment for keeping-in-touch days will also be pensionable. On returning to work following a period of unpaid family leave the employee will be contacted by BSC Attendance Management Team and given the option of repaying the pension contributions for any unpaid period.

Annual Leave: Support staff who work all year round will continue to accrue annual leave during the whole of their maternity leave. Time off in lieu does accrue in respect of Bank Holidays during the whole of the maternity leave. Any time taken as maternity leave will count towards qualifying service for the purpose of additional annual leave based on length of continuous service. Periods of maternity leave will also count towards length of continuous service.

Employees should discuss their annual leave entitlement fully with their Headteacher/Line Manager to ensure that they have the opportunity to take their annual leave either before commencing maternity leave or immediately prior to their return to work. Employees should be aware that normal provisions regarding the carry-over of annual leave will apply.

An employee should be encouraged to plan to take any annual leave either before she starts maternity leave or when she comes back. Annual leave cannot be carried over and could be lost if the holiday year ends whilst the employee is on maternity leave. Where an employee is planning not to return to work, she should be encouraged to plan to take any annual leave entitlement that she may be due, before commencing maternity leave.

Annual Leave: Support Staff who work term time only under the Working Time (Amendment) Regulations 2007 from April 2009 only have a statutory right to paid annual leave amounting to 28 days (5.6 weeks).

Please note this is not an additional entitlement to annual leave on top of the current school closure arrangements.

1.19.2 Whilst on Maternity Leave and when resuming work after maternity leave an employee is entitled to benefit from any general improvements to the rate of pay (or other terms and conditions) which may have been introduced.

1.19.3 For teaching staff this has implications for progression within the pay range. A teacher will not be disadvantaged in making progress within the pay range whilst on maternity leave. Progression should be based on guidance as set out in the School Teachers' Pay and Conditions Document and the Pay Policy.

1.19.4 Employees may decide that their previous working arrangements no longer suit their circumstances and may wish to discuss other alternative working arrangements with the Headteacher. These may include flexible working options such as reduced hours, job share, or the option of taking some unpaid parental leave.

1.19.5 If the employee wishes to make a request for varying her working arrangements, she will need to formally put this in writing to the Headteacher, giving as long a period of notice as possible so that suitable arrangements can be made if required. Whilst the employee has the right to request to vary her working arrangements there is no guarantee that her request will be granted. The decision is driven by the needs of the school. See the Flexible Working Policy for Schools.

1.20 Guidance on additional salary additions / deletions during Maternity Leave

1.20.1 A) Trade Union and other Deductions:

Trade Union deductions cease during the unpaid part of your maternity leave and are reinstated upon your return to paid employment unless otherwise agreed. It would be advisable for you to contact your trade union to arrange continuous benefits.

Other deductions, such as Leeds Hospital Fund, Credit Union and Council Tax, will automatically cease during the unpaid part of any maternity absence and you will need to make alternative arrangements for these payments.

1.20.2 B) Increments:

Absence on Maternity Leave whether paid or unpaid shall count towards any normal annual increment and shall not defer the normal incremental date.

1.20.3 C) Retrospective Pay Awards:

In the event of a retrospective pay award being agreed after the commencement of your maternity leave, the Occupational Maternity Pay, Statutory Maternity Pay (SMP) and any payment for Keeping-in-Touch days will be re-calculated based on the new values. If you have left your employment with Leeds City Council, you need to write the HR Administration Team at the BSC to request the payment of arrears.

1.20.4 D) Additional payments:

If you normally receive a lump sum essential car user payment, this will be maintained in full for the duration of your maternity leave. First Aid supplements will be stopped as soon as maternity leave starts. Any other additional payments may be subject to different rules, and you are encouraged to contact the BSC for further information.

1.21 Frequently Asked Questions – Maternity

- **What if you wish to work up to the birth?**

If you are fit and able you have the right to work up until the time your baby is due and your maternity leave will commence on the following day.

- **What if the baby is born before the maternity leave is due to start?**

If your baby is born before your maternity leave is due to start, the maternity pay period will start from the day following the date of birth. You are required to write and inform your Headteacher as soon as is reasonable that you have given birth and of the actual birth date of your baby.

- **What if it is a multiple birth?**

If you are expecting more than one baby your entitlement to maternity leave/pay is the same as if you were expecting only one baby.

- **What if the employee miscarries or the baby is stillborn?**

If an employee miscarries their baby during the first 24 weeks of pregnancy, they will not qualify for any maternity leave or maternity pay. Any absence from work will be treated as sick leave and employees will be entitled to occupational sick pay. Schools should follow the absence management procedures for pregnancy related absences in these circumstances.

In the unhappy event of a baby not surviving from the start of the 25th week of pregnancy onwards, employees will be entitled to the same maternity pay and leave entitlements as if their baby had lived. Employees may wish to access their entitlement to Bereavement leave and pay in addition to their maternity leave and pay entitlement, see section 10. Parental Bereavement.

- **Does maternity leave affect continuity of service?**

No. Maternity leave does not count as a break in service.

- **End of Contract During Maternity Leave**

If an employee's contract is due to end during the maternity leave period, the school/LEA should deal with the end of fixed term contract in the usual way under the appropriate procedures. The reason for non-renewal must not be maternity related, and there must be an objective reason for non-renewal.

If the employee has provided written confirmation that they wish Leeds City Council to seek suitable alternative employment for her within this Local Authority, this should be sought in the normal way. If it has not been possible, under the normal rules, to redeploy, then pay and rights under the maternity scheme end on the same day that the contract expires, although they would continue to receive any remaining statutory maternity pay if they qualify.

If a school is faced with a situation where an employee's fixed term contract expires during the maternity leave period, it is recommended that the school contacts their HR Provider for guidance on the appropriate procedures.

- **What if an employment contract needs to be amended during maternity leave?**

If it is necessary to amend an employment contract during maternity leave, the amendment should be made following consultation with you and should place you on no less favourable terms than for existing employees.

- **What if you cannot return to work at the end of your maternity leave because of sickness?**

Where you submit a medical certificate from a registered medical practitioner, or a self-certificate, to cover absence from:

  - the date you have notified the Headteacher that you will return to work following maternity leave or
  - the date you and your Headteacher have agreed that you will return, or
  - where no date has been notified or agreed, the first day following the maximum period of maternity leave to which you are entitled.

You will be entitled to sick leave in accordance with the Managing Attendance Policy.

- **Is a teacher entitled to incremental pay progression when they have been off on maternity leave?**

Whilst on Maternity Leave and when resuming work after maternity leave employees are entitled to benefit from any general improvements to the rate of pay (such as pay awards or other improvements to terms and conditions) which may have been introduced.

Whilst on maternity leave, annual pay increments will be automatically awarded based on the teacher's standards of performance immediately prior to the period of maternity leave as if there had been no absence, as per paragraph 1.7.1 School Teacher Pay Policy. In making this judgement Headteachers must refer to paragraph 1.7.2 of the School Teacher Pay Policy.

The performance management process will continue following a period of maternity leave. When setting objectives and carrying out the annual performance review, Headteachers should take into consideration the length of the absence during the annual review period and any other extenuating circumstances when making judgements on performance and pay.

- **What are Keeping in Touch (KIT) days**?

Keeping-in-touch days can also enable an employee and the Headteacher/Line Manager to keep in touch during the maternity leave period to ease the return to work. Following agreement with her Headteacher/Line Manager, the employee can work for up to 10 days during her maternity leave period without bringing her maternity leave period to an end.

For these purposes, ‘work’ may include any activity undertaken to assist her keeping in touch with the workplace such as conferences, team meetings, training etc. The provisions apply to the entire period of the employees’ maternity leave, except during the first 2 weeks after childbirth which is a period of compulsory maternity leave.

Any work done during maternity leave must be by an agreement and neither the employee, or Headteacher/line manager can insist on it. It is also important to note that even if the employee only agrees to work for a few hours on each occasion, it will still be counted as ‘days’ under the maternity scheme.

- **How will I be paid for KIT days?**

You will be paid at your contractual rate of pay (which will include SMP where payable) for any hours worked during keeping-in-touch days.

If you decide to take advantage of a keeping-in-touch day whilst receiving Statutory Maternity Pay (SMP) the minimum you will receive is SMP and the normal offset rules will apply. For example, if whilst on maternity leave you earn £50 (this figure will be dependent on your rate of pay per hour and the number of hours you work) for a keeping in touch day you will be able to retain your SMP. The £50 earned will be offset against your SMP meaning that you will receive the flat rate SMP in force at that time.

If for example you work for 3 keeping-in-touch days in the same week and earn £150 you will receive £150 as your SMP will be offset against your contractual pay paid for the same week. You are entitled to 10 keeping-in-touch days throughout your maternity leave period. If you exceed these 10 days even by only one day you will forfeit one full week's SMP where applicable.

If you decide to work a keeping-in-touch day during the unpaid part of your maternity leave you will be paid at your contractual rate of pay.

1.22 Protection against Unfair Treatment or Dismissal

Pregnant staff must not be treated any less favourably than any other staff and must not be dismissed from employment or selected for redundancy in preference to other comparable staff, for reasons of pregnancy.

2 Guide to Adoption and Surrogacy Provisions

2.1.1 The following provisions apply to adoptive parents and surrogate parents who are legally adopting the baby or where the baby is subject of a Parental Order following a legal surrogacy arrangement.

2.2 Pre-Adoption Leave

2.2.1 All staff who legally adopt a child may take reasonable time off, with pay, to attend pre-adoption interviews, visits, and for court appearances.

2.3 Right to attend Adoption Appointments

2.3.1 Time off with pay will be given for up to 5 adoption appointments. Employees are asked to inform the Headteacher as far in advance as possible, of the date and time of an appointment and the best estimate of the length of absence from work, including travelling time. Employees should seek to arrange appointments at the beginning or the end of the day, although schools recognise this may not always be possible.

2.3.2 Employees will be required to produce to their Headteacher a letter or other document showing that the appointment has been made.

2.3.3 The time taken to attend such appointments within an employee's working hours for that day will be paid at the usual rate provided they have supplied evidence of the appointment. These entitlements apply to those who will become parents through a surrogacy arrangement.

2.4 Entitlement to Adoption Leave

2.4.1 Since April 2003 (and subject to amendments in 2015) there has been a legal right to adoption leave. All employees are entitled to 52 weeks of adoption leave from their first day of employment with a school. For support staff, the maximum is 54 weeks if the employee opts to take 2 additional weeks off before the actual date of the child's placement.

2.4.2 Only one period of leave will be available irrespective of whether more than one child is placed for adoption.

2.4.3 If the child's placement ends during the adoption leave period, the adopter will be able to continue adoption leave for up to eight weeks after the end of the placement.

2.4.4 Prospective adopters who adopt a child from oversees may be entitled to 52 weeks adoption leave and pay if they meet the qualifying criteria. For further information please contact your HR provider.

2.5 To qualify for Adoption leave you must have:

2.5.1 Been matched with a child for adoption

- Notified the adoption agency that you agree to the placement and have agreed a date for the placement to start
- Let your Headteacher know within 7 days (or as soon as reasonably practical) of being matched to a child and that you intend to take adoption leave
- Let your Headteacher know the date the child will come to live with you
- Let your Headteacher know the date you want to start your adoption leave, which can be up to 14 days before the expected date of adoption
- for surrogacy arrangements, adoption leave can only start from the birth or the day after the birth.

2.6 Claiming your Entitlement

2.6.1 The employee should inform their Headteacher in writing as soon as is reasonably practical that they will be absent from work due to adoption and whether they intend to return to work.

2.6.2 Adopters should notify the Headteacher of their intention to take adoption leave within 7 days of being notified of a match by their adoption agency. This must be evidenced by production of a matching certificate within at least 28 days of the date they expect Statutory Adoption payments to commence.

2.6.3 For surrogacy arrangements, if you intend to apply for a parental order, you will be able to take adoption leave and pay and paternity leave and pay, if each parent meets the normal qualifying conditions.

2.6.4 You will need to provide written notification that you are using a surrogate to have a baby and confirmation that you will apply for a parental order or apply to adopt. You should inform your manager of the due date of the child and when you would like to start your leave, at least 28 days before the expected week of birth.

2.7 Entitlement to Adoption Pay

2.7.1 All staff who have been continuously employed with their current employer for a period of 26 weeks by the week in which they are notified that they have been matched with a child will be entitled to adoption pay.

2.8 Statutory Adoption Pay (SAP) Support staff and Teachers

2.8.1 The amount you're paid during adoption leave will depend on:

- your decision on whether you intend to return to work
- your continuous length of service, which must be 26 weeks continuous employment at the 'qualifying week' i.e. the date at which you're notified that you've been matched to a child (or for surrogacy arrangements at least 26 weeks' continuous service at the 15th week before EWC)
- whether you have earned at least the lower earnings level in the eight weeks leading up to the date that you were notified of the match
- whether you've notified your Headteacher that you intend to take adoption leave

2.9 Statutory Adoption Pay (SAP)

2.9.1 SAP is a weekly payment for which you may be eligible. The weekly rate is set by the government and is taxable. National insurance may also be payable. If you're eligible its payable for a maximum of 39 weeks from the start of your adoption leave. It's paid at the following rates:

- the first six weeks is paid at 9/10 of your average weekly earnings with no upper limit
- the remaining 33 weeks is paid at the lower earning related rate

2.10 Occupational Adoption Pay (OAP) Support Staff

2.10.1 If you have 26 weeks continuous service with your current employer, and intend to return to work after adoption, you'll be entitled to 39 weeks paid leave at these rates:

- six weeks at 9/10 pay (includes SAP where payable)
- four weeks at 9/10 pay (includes SAP where payable)
- 20 weeks at half pay plus SAP (standard rate)
- nine weeks SAP (standard rate) or 9/10 pay whichever is lower

2.10.2 If you have 26 weeks continuous service with your current employer by the week in which you are notified that you've been matched with a child (or for surrogacy arrangements at least 26 weeks' continuous service with your current employer at the 11th week before EWC) and you're not intending to return to work, you will be entitled to six weeks at 9/10 pay followed by SAP where appropriate.

2.10.3 If you have less than 26 weeks continuous service with your current employer, you will be entitled to six weeks at 9/10 pay followed by SAP where appropriate.

2.11 Occupational Adoption Pay (OAP) Teachers

2.11.1 If you have 26 weeks continuous service with your current employer by the week you have been notified that you have been matched with a child and are intending to return to work you will be entitled to;

- 6 weeks at 9/10^{ths} of a weeks' salary (offset against payments of Statutory Adoption Pay)
- 20 weeks at half pay plus SAP (capped at normal rate of pay)
- 13 weeks SAP
- Max 13 weeks unpaid leave to the date of return

2.11.2 If you have 26 weeks continuous service with your current employer by the week in which you are notified that you've been matched with a child (or for surrogacy arrangements at least 26 weeks' continuous service with your current employer at the 11th week before EWC) and you're not intending to return to work, you will be entitled to six weeks at 9/10 pay followed by SAP where appropriate.

2.12 Adoption and Paternity Leave

2.12.1 Where a person is part of an adopting couple, only one adopter may take paid adoption leave (the main adopter). The main adopter's spouse or partner who is an employee of a Leeds school may be eligible for paid Paternity Leave (or paid Shared Parental Leave).

2.12.2 To qualify for paternity leave when adopting a child, the employee must have 26 weeks' continuous service before the end of the week when:

- They are told they have been matched with a child for adoption in the UK
- The date the child enters the UK, for overseas adoption,

2.12.3 Prospective adopters who adopt a child from overseas, or have a baby born overseas through a surrogacy arrangement, may qualify for adoption leave and pay. **For further information please contact your HR provider.**

2.12.4 To access their entitlement for paternity leave the employee must notify the Headteacher within 7 days of their co-adopter or partner being matched with the child

and to access paternity pay, by 28 days before the employee wants the paternity pay to start, which cannot be before the start of the placement.

2.13 Adoption appointments and paternity leave

2.13.1 Where a school employee intends to take paternity leave, they will not be entitled to paid time off to attend adoption appointments where their partner, who is the main adopter, is also an employee of a Leeds school. Time off without pay for up to two appointments may be requested.

2.14 Adoption Paternity leave and pay

2.14.1 Support staff and Teachers are entitled to 2 weeks paid leave at their normal rate of pay.

2.14.2 Leave must be taken within 8 weeks of the date of placement, or the child's arrival in the UK.

2.15 Fostering for Adoption (or Dual approved prospective adopters)

2.15.1 Changes under the Children Act 1989 mean that some children (usually under two years old) may be placed with local authority foster parents under Section 22C of the Children Act 1989 with the expectation that they will adopt that child. This is sometimes called 'fostering for adoption'.

2.15.2 Dual prospective adopters may be entitled for adoption leave and pay from two weeks before the child is placed with the family (initially for fostering) under this legislation; they are also entitled to ShPL and paternity leave if they meet the eligibility criteria. Headteachers are expected to use their discretion and apply the leave set out in this policy in the appropriate manner. Flexibility is required as sometimes this involves very short notice. **Advice should be sought from your HR provider.**

2.16 Repaying Occupational Adoption Pay

2.16.1 OAP payments made to all employees during Adoption Leave are made on the understanding that the employee will return to work either within one or more LAs or any organisation recognised under the Modification Order 1999 and under the locally agreed Leeds Schools Continuous Service and Academies Policy 2009, for a period of at least 3 months after the adoption leave period. This period would extend, on a pro rata basis, if the employee was to return working fewer hours than they worked prior to maternity leave.

2.16.2 In the event of the employee not being available, or being unable, to return to their job for the required period, they shall refund the OAP payments made during their adoption leave other than those made during the first 6 weeks of leave.

2.16.3 Statutory OAP Payments are not refundable. However, should the employee be made compulsory redundant or decide to take voluntary redundancy during her period of maternity leave, or during the first 3 months of returning to work (or extended period on a pro rata basis), during her period of maternity leave, no refund would be payable.

2.17 Returning to Work

2.17.1 Unless stated otherwise, the employer will assume the employee intends to return to work after maternity leave. However, when completing the MA1 form, there are three options available:

a) To return to work: To qualify for Occupational Adoption Pay it must be the employee's intention to return to work within one or more LAs or any organisation recognised under the Modification Order 1999 and under the locally agreed Leeds Schools Continuous Service and Academies Policy 2009, following maternity leave for a minimum period of 3 months. This period would extend, on a pro rata basis, if the employee was to return working fewer hours than they worked prior to adoption leave.

b) Unsure if returning to work: An employee may choose to defer the decision until after the placement - if the employee states on the MA1 form that they are unsure about whether to return to work, they will not receive occupational adoption pay. If they decide at a later date to return to work then any remaining entitlements will be paid to them following the completion of 3 months (or pro rata) service.

c) Not returning to work: An employee may choose to notify the school and payroll on the MA1 form of their intention to not return to work after the period of adoption leave. They will not receive occupational Maternity pay.

2.17.2 Employees who decide not to return to work after the period of adoption leave will be required to resign giving at least 21 days' notice in writing to the school.

2.17.3 If an employee resigns from their post without having returned to work for the requisite period of time they shall be required to refund the OAP payments made during the adoption leave period, apart from those made during the first 6 weeks of adoption leave.

2.17.4 If an employee resigns from their post and immediately takes up another post within one or more LAs or any organisation recognised under the Modification Order 1999 and under the locally agreed Leeds Schools Continuous Service and Academies Policy 2009, they shall not be required to refund any payments made during the adoption leave.

2.18 Notice of Returning to Work

2.18.1 An employee does not need to give their employer advanced notice if they intend to access their full entitlement to ordinary and additional adoption leave (i.e. 52 weeks adoption leave following the adoption placement).

Notice required – Returning to work Support staff and Teachers

2.18.2 If the employee intends to return to work before the end of their full entitlement, they must give not less than 21 days' notice in writing, of their proposed return date. The employer has the right to postpone any request to return to work earlier than planned, until they have had the 8 weeks' notice required (as long as this is not postponed beyond the 52 week adoption leave period).

Notice required – returning to work (Teachers)

2.18.3 Under the Burgundy Book (paragraph 7.1 of Section 5) teachers must give 21 days' notice in writing if they wish to return before the end of their full entitlement. The school has the right to postpone any request to return to work earlier than planned,

until they have had the 21 days' notice required (as long as this is not postponed beyond the 52 week Adoption Leave period).

2.18.4 Employees have the following legal rights when returning to work following a period of adoption leave:

- If returning during or at the end of the first 26 weeks (ordinary adoption leave) they are entitled to return to the same job on the same terms and conditions that they had before going on adoption leave, unless this is not reasonably practicable by reason of redundancy;
- If the employee takes more than 26 weeks leave (additional adoption leave) they are also entitled to return to the same job on the same terms and conditions unless this is not reasonably practicable by reason of redundancy. If however there is some reason other than redundancy why it is not reasonably practicable for the employee to return to her original job, they are entitled to be offered suitable alternative work on terms and conditions no less favourable than their substantive post.

2.19 Pensions and Annual Leave during Adoption

For Teachers:

2.19.1 **Pension**: Where a teacher is absent due to family leave (maternity, paternity, parental and adoption leave), such absence is treated as pensionable employment if the teacher is receiving at least half pay or is being paid statutory family leave.

If half pay or statutory pay ceases, then this is non pensionable employment and does not count for pension purposes. However, Keeping in touch days paid in an unpaid period will usually be pensionable.

2.19.2 **Annual Leave**: Under the Working Time Regulations 1998 (as amended), Teachers have a statutory right to paid annual leave amounting to 5.6 weeks (equivalent to 28 days for full-time staff, pro rata for part-time staff).

Please note this is not an additional entitlement to annual leave on top of the current school closure arrangements.

For Support Staff:

2.19.3 **Pension:** Employees will continue to pay pension contributions on maternity, paternity, parental and adoption pay whether the pay element is a 9/10ths full pay or half pay. Payment for keeping-in-touch days will also be pensionable. On returning to work following a period of unpaid family leave the employee will be contacted by Business Support Centre and given the option of repaying the pension contributions for any unpaid period.

2.19.4 **Annual Leave:** Support staff who work all year round will continue to accrue annual leave during the whole of their adoption leave. Time off in lieu does accrue in respect of Bank Holidays. Any time taken as adoption leave will count towards qualifying service for the purpose of additional annual leave based on length of

continuous service. Periods of adoption leave will also count towards length of continuous service. Employees should discuss their annual leave entitlement fully with their Headteacher/Line Manager to ensure that they have the opportunity to take their annual leave either before commencing adoption leave or immediately prior to the return to work. Employees should be aware that normal provisions regarding the carry-over of annual leave will apply. If they are not returning to work then employees should plan to take any annual leave entitlement that they may be due, before commencing adoption leave.

2.19.5 **Annual Leave:** Support Staff who work term time only under the Working Time (Amendment) Regulations 2007 from April 2009 only have a statutory right to paid annual leave amounting to 28 days (5.6 weeks).

Please note this is not an additional entitlement to annual leave on top of the current school closure arrangements.

2.20 Guidance on additional salary additions / deletions during Adoption Leave

A) National Insurance and Income Tax:

- National Insurance Contributions are deductible from the gross occupational adoption pay and gross Statutory Adoption Pay (SAP). They are not, however, deductible for the unpaid part of your adoption leave and therefore benefits may be lost.
- You should contact your Department of Work and Pensions (DWP) office with a view to obtaining guidance on whether or not contributions should be paid in order to avoid any possible loss of benefits
- Pay during ordinary adoption leave and Statutory Adoption Pay (SAP) is subject to the provisions of income tax.
- You may be entitled to a tax rebate if you are not returning to work. As soon as you have received any adoption pay you are entitled to you should receive a P45 from Leeds City Council. You should send this to HM Revenue & Customs, along with written confirmation that you have finished work.

B) Trade Union and Other Deductions:

Such deductions cease during the unpaid part of your adoption leave and are reinstated upon your return to paid employment unless otherwise agreed.

Regarding any trade union deductions, it would be advisable for you to contact your trade union to arrange continuous benefits.

Other deductions, such as Leeds Hospital Fund, Credit Union and Council Tax, will automatically cease during the unpaid part of any adoption absence and you will need to make alternative arrangements for these payments.

C) Increments:

Absence on adoption leave whether paid or unpaid shall count towards any normal annual increment and shall not defer the normal incremental date.

D) Retrospective Pay Awards:

In the event of a retrospective pay award being agreed after the commencement of your adoption leave, the occupational adoption pay, Statutory Adoption Pay (SAP) and any payment for keeping-in-touch days will be re-calculated based on the new values. If you have left your employment with the school, you need to write into the Business Support Centre to request the payment of arrears.

E) Additional payments:

If you normally receive a lump sum essential car user payment, this will be maintained in full for the duration of your adoption leave. First Aid supplements will be stopped as soon as adoption leave starts. Any other additional payments may be subject to different rules, and employees should be encouraged to contact the Business Support Centre for further information.

2.21 Frequently Asked Questions – Adoption Leave

- **What if the adoption is delayed or disrupted?**

You must be sure that the placement is actually going ahead if you are starting adoption leave before the actual date of placement, as you cannot stop the leave and start again if there are any delays.

There is an eight week period allowing adoptive parents to come to terms with the ending of a placement. This applies in 3 sets of circumstances:

If you have started adoption leave before the placement and the adoption agency notify you that the child will not be placed with you, the adoption leave will end eight weeks after the end of the week that you are notified the placement will not take place.
If the child dies during the adoption leave, the leave will end eight weeks after the end of the week in which the child dies.
If the child is returned to the adoption agency, the leave will end eight weeks after the end of the week in which the placement ends.

- **Does adoption leave affect continuity of service?**

No. Adoption leave does not count as a break in service.

- **What if an employment contract needs to be amended during adoption leave?**

  If it is necessary to amend an employment contract during adoption leave, the amendment should be made following consultation with you and should place you on no less favourable terms than for existing employees.

- **What are Keeping in Touch (KIT) days?**

  Keeping-in-touch days can enable an employee and their Headteacher/line manager to keep in touch during adoption leave to ease the employee's return to work. Following agreement with the Headteacher/ line manager employees can work for up to 10 days during the adoption leave period without bringing the adoption leave period to an end. For these purposes, 'work' may include any activity undertaken to assist them in keeping in touch with the workplace, such as conferences, team meetings, training etc. The provisions apply to the entire period of the adoption leave.

  Any work done during adoption leave must be by agreement and neither the employee nor the Headteacher/Line Manager can insist on it. It is also important to note that even if the employee only agrees to work for a few hours on each occasion it will still be counted as 'days' under the adoption scheme.

- **How will I be paid for KIT days?**

  You will be paid at your contractual rate of pay (which will include SAP where payable) for any hours worked during keeping-in-touch days.

  If you decide to take advantage of a keeping-in-touch day whilst receiving Statutory Adoption Pay (SAP) the minimum you will receive is SAP and the normal offset rules will apply. For example, if whilst on adoption leave you earn £50 (this figure will be dependent on your rate of pay per hour and the number of hours you work) for a keeping in touch day you will be able to retain your SAP. The £50 earned will be offset against your SAP meaning that you will receive the flat rate SAP in force at that time.

  If for example you work for 3 keeping-in-touch days in the same week and earn £150 you will receive £150 as your SAP will be offset against your contractual pay paid for the same week. You are entitled to 10 keeping-in-touch days throughout your adoption leave period. If you exceed these 10 days even by only one day you will forfeit one full weeks' SAP where applicable.

  If you decide to work a keeping-in-touch day during the unpaid part of your adoption leave you will be paid at your contractual rate of pay.

3 Partner and Paternity leave

3.1.1 Since April 2003 there has been a legal right to paternity leave and, where employees have 26 weeks continuous service, this includes pay during this leave. Leeds City Council terms this 'partner and paternity leave' and the entitlement is two weeks leave with full pay. This section provides a summary of all employees' entitlements to partner and paternity leave.

3.1.2 The council's birth leave provisions exceed the statutory provisions in so far as they do not require an employee to have 26 weeks continuous service to qualify for payments to be made during approved absence. Please note, an employee cannot apply for two weeks partner and paternity leave and two weeks birth leave.

3.1.3 Partner and paternity leave enables partners to have paid time off to look after their new baby. This is available to the biological parent, husband or partner of the mother (or adopter) including same sex partners, the child's adopter or the intended parent (if having a baby through a surrogacy arrangement).

3.2 Qualifying for partner and paternity leave

3.2.1 Partner and paternity leave can be requested by the biological parent, spouse or partner of the birth parent no later than 4 weeks prior to the period of requested leave. Partner and paternity leave is for a maximum of two calendar weeks (either two separate weeks or two consecutive weeks) and needs line manager approval before it can be processed by payroll.

3.2.2 An SPL form must be completed and signed. It must be handed to your Headteacher with a copy of the MAT B1 certificate or Matching Certificate. Requests should be submitted to the BSC after the baby is born to ensure pay and leave is processed from the correct start date.

3.2.3 Partner and paternity leave cannot start before the baby is born. The leave must be taken in whole weeks (either two separate weeks or two consecutive weeks). It has to be taken within the first year after the birth or due date if the baby is early.

3.2.4 When a baby is born prematurely, 2 weeks paid leave, in addition to partner and paternity leave is provided for partners.

3.3 Attending ante-natal appointments

3.3.1 Up to five absences can be requested to attend ante-natal appointments or classes. For each absence, a period of up to half a day can be paid.

3.4 Attending the birth

3.4.1 One day's absence can be requested to attend the child's birth if this falls on a working day. Any requirements beyond this (such as arising from complications during birth) would have to be considered under special leave provisions.

3.5 Notice of absences

3.5.1 The school appreciates that employees cannot always determine in advance the precise time of the absence. At the same time, employees need to recognise that schools need to make cover arrangements and employees should endeavour to keep

their Headteacher or manager up-to-date on developments and potential requirements for absence.

Birth Leave

3.5.2 Birth leave is the entitlement to paid leave for a nominated person of the pregnant employee's choice. This is to give practical and emotional support at or around the time of the birth. Birth leave can be requested by the father/partner (if they do not qualify for partner and paternity leave as above) or the birthing partner of the mother. Birth leave can be requested for up to ten days (two calendar weeks) plus one day for the birth if this falls on a working day. The leave should be requested by the nominated person no later than the 15th week before the expected week of childbirth. Birth leave must be taken in whole weeks (either two separate weeks or two consecutive weeks).

3.6 Qualifying for birth leave

3.6.1 In order to apply for birth leave a copy of the MAT B1 certificate along with a letter from the pregnant person confirming the status of the nominated person will need to be provided. A special leave form will need to be completed.

3.6.2 Please refer to the Leave of Absence policy to request birth leave.

3.7 Attending the birth

3.7.1 One day's absence can be requested to attend the child's birth if this falls on a working day. Any requirements beyond this (such as arising from complications during birth) would have to be considered under special leave provisions.

3.8 Notice of absences

3.8.1 The school appreciates that employees cannot always determine in advance the precise time of the absence. At the same time employees need to recognise that schools need to make cover arrangements and employees should endeavour to keep their Headteacher or manager up-to-date on developments and potential requirements for absence.

4 Shared Parental Leave

4.1.1 The Shared Parental Leave (ShPL) Regulations 2014 introduced a new statutory right to parents of a new-born infant or a child newly placed for adoption to share up to a maximum of 50 weeks maternity leave and 37 weeks of pay if they meet the eligibility criteria.

4.1.2 The eligible parent and the main adopter have the option to cut short (curtail) their maternity or adoption leave and convert the remainder of the leave into ShPL. This provides both parents with the opportunity to consider the best arrangements to care for their child during the child's first year after birth, or placement. The first two

weeks must be taken by the eligible parent or main adopter, leaving a further 50 weeks that can be shared before the baby's first birthday or anniversary of adoption.

4.1.3 ShPL can be taken by either parent or partner in periods of one week or multiples of a week. Parents can share the leave if both are eligible and can choose to take the leave at the same time or separately.

4.2 Qualifying criteria for ShPL:

The birth parent or main adopter must:	The partner must:
• Have 26 weeks continuous service by the end of the 15th week before the EWC **or** at the week in which the main adopter was notified of being matched with a child (relevant week); • Still be employed until the week before any ShPL is to be taken	• Be in employment; this does not have to be in employment with LCC or a school, but they must have worked (in an employed or self-employed category) for at least 26 of the 66 weeks' immediately before the baby's due date or matching date, earning an average of at least £30 a week in any of the 13 of the 66 weeks in question

4.2.1 The maximum amount of ShPL available is 50 weeks. The birth parent or main adopter cannot start ShPL until after the compulsory maternity or adoption leave period, (two weeks) has been taken. The partner, if eligible, to take statutory paternity leave and pay which is in addition to ShPL before any period of ShPL can be entered into (maximum of two weeks).

4.3 Notification

4.3.1 Employees who qualify for Shared Parental Leave must notify their employers of their intention to take it at least eight weeks before they intend the leave to start. Notification from must be accompanied by a declaration[1] from both the employee and his or her partner.

4.3.2 When an employee gives notice of entitlement to take Shared Parental Leave, his or her employer may request evidence within 14 days beginning with the date on which that notice was given:

- A copy of the child's birth certificate
- The name and address of the partner's employer

4.3.3 When the partner gives a notice for Shared Parental Leave, his/her employer may (within 14 days beginning with the date on which that notice was given) request:

- A copy of the child's birth certificate, and/or
- The name and address of the other parent/spouse/civil partner/partner's employer

4.3.4 If the birth certificate has yet to be issued, the employee must instead provide a signed declaration, which states the date and location of the child's birth, within 14 days of the child being born.

4.4 Taking Shared Parental Leave

4.4.1 If employees have asked for a single continuous period of leave, they are entitled to take it. If they have asked for separate periods of leave, (must be in week blocks and no more than 3 separate blocks) the employer can:

- Agree to the requested pattern of leave
- Refuse the request
- Refuse the request but propose alternative dates

4.4.2 Employees can split shared parental leave into up to 3 separate blocks, even if they are not sharing it with a partner. If the school agrees, the employee may be allowed to split a block of leave into shorter periods of at least a week. For example, they might ask to work every other week during a 12-week block, using a total of 6 weeks of their Shared Parental Leave.

4.4.3 Employers cannot turn down a request for a block of leave if the employee is eligible and gives the correct notice. Employers do not have to agree to the employee breaking the block of leave into shorter periods.

4.4.4 If an agreement between employer and employee cannot be reached within 14 days, employees can withdraw their request, or take the leave requested as a single continuous period. An employee can give up to three notices of their intention to take leave.

4.4.5 If a notice is withdrawn because a leave pattern cannot be agreed between employee and employer, it does not count towards this limit. This also applies to a variation to the original leave request. A written notice to vary the period of leave may:

a) Vary the start date or end date of shared parental leave provided that the notice is given at least 8 weeks before both the date varied and the new date

- Vary the leave to request that a continuous period of leave become discontinuous and vice versa
- Vary (including cancel) the amount of leave requested provided that the notice is given at least 8 weeks before any period of leave varied by the notice is due to commence.

4.4.6 There is a requirement for employers to respond to an employee's notification of his/her leave plans within 28 days. An employer will need to write to the employee setting out the date on which on which he/she are expected to return to work.

4.4.7 Unless notified otherwise, Head teachers/ Line Managers should assume that the employee will be taking statutory maternity leave.

4.5 Shared Parental Pay

4.5.1 Shared parental pay is available up to a maximum of 37 weeks (39 weeks less any weeks of statutory maternity pay, maternity allowance or statutory adoption pay already taken by the employee or their partner, which includes at least two weeks compulsory maternity or adoption leave). If eligible, shared parental pay will be paid in line with the school's occupational maternity or adoption pay.

4.5.2 If only one parent is a school employee, the other parent will be paid shared parental pay in line with their own employer's maternity or adoption pay.

4.5.3 If both parents are school employees and each are taking shared parental pay, each parent will receive pay at the equivalent of what they would receive at either the school's occupational maternity or adoption rate of pay.

4.6 Right to Return after Shared Parental Leave

4.6.1 If the employee returns to work after a period of shared parental leave, which when added to any other statutory leave taken by the employee in relation to the child amounts to a total of 26 weeks or less, the employee is entitled to return to the job in which the employee was employed before the period of leave.

4.6.2 If the employee returns after shared parental leave which:

a. when added to any other statutory leave taken by the employee in relation to the child amounts to more than 26 weeks; or

b. was the last of two or more consecutive periods of relevant statutory leave which included a period of parental leave of more than four weeks, a period of additional maternity leave, or a period of additional adoption leave, the employee is entitled to return from leave to the to the job in which they were employed before the period of leave, or, if it is not reasonably practicable for the employer to allow them to return to that post, to another job which is both suitable and appropriate for the employee to do in the circumstances.

4.7 Guidance on additional salary additions / deletions during Shared Parental Leave (ShPL)

A. National Insurance and Income Tax:

National insurance contributions are deductible from all gross pay.

- You should contact your DWP office with a view to obtaining guidance on whether contributions should be paid in order to avoid any possible loss of benefits.

- You may be entitled to a tax rebate if you are not returning to work. As soon as you have received any maternity pay you are entitled to, you should receive a P45 from the council. You should send this to HMRC, along with written confirmation that you have finished work

B. Pension contributions:

For Teachers:

Pension: Where a teacher is absent due to family leave (maternity, paternity, parental and adoption leave), such absence is treated as pensionable employment if the teacher is receiving at least half pay or is being paid statutory family leave.
If half pay or statutory pay ceases, then this is non pensionable employment and does not count for pension purposes. However, keeping in touch days paid in an unpaid period will usually be pensionable.

For Support Staff:

Pension: Employees will continue to pay pension contributions on maternity, paternity, parental and adoption pay whether the pay element is a 9/10ths full pay or half pay. Payment for keeping-in-touch days will also be pensionable. On returning to work following a period of unpaid family leave the employee will be contacted by BSC Attendance Management Team and given the option of repaying the pension contributions for any unpaid period.

C. Trade union and other deductions

Trade Union deductions cease during the unpaid part of an employee's maternity or adoption leave and are reinstated upon the employee's return to paid employment unless otherwise agreed. If you are a member of a trade union, it would be advisable for you to contact the union to discuss in more detail.

D. Increments

Absence on maternity, adoption, shared parental leave or parental bereavement leave whether paid or unpaid shall count towards any qualifying

service for the purposes of normal annual incremental progression and shall not defer the normal incremental date.

E. Retrospective pay awards

In the event of a retrospective pay award being agreed after the commencement of your maternity leave pay, adoption leave pay, shared parental leave pay, or parental bereavement leave pay, and any payment received for KIT days, will be re-calculated based on the new values. If you have left your employment with LCC, you need to write the BSC to request the payment of arrears.

4.8 Frequently Asked Questions – Shared Parental Leave (ShPL)

- **What are Shared Parental Leave in Touch (ShPLIT) days**

ShPLIT days will enable you and your manager to keep in touch during your shared parental leave to ease your return to work. Each parent is entitled to up to 20 ShPLIT days during ShPL where employees may, in agreement with their manager, ask or be asked to work (including attending training) for up to 20 days during the ShPL period (this is additional to the 10 KIT days allowed during maternity and adoption leave).

ShPLIT days, as with KIT days may be worked at any time during the ShPL period by both parents except during the first two weeks after the baby is born as this is a compulsory maternity leave period which must be taken by the birth parent.

Any work carried out during shared parental leave must be by agreement and neither you nor your manager can insist on it. It's important to note that even if you agree to only work for a few hours on each occasion, it will still be counted as 'days' under the shared parental leave scheme.

You'll be paid at your contractual rate of pay per hour which will be offset against shared parental pay.

- **Can both parents be on ShPL at the same time?**

Yes, but you can still only take the same number of maximum weeks between you (up to 50). So, you could only both be on leave at the same time for a maximum of 25 weeks before returning to work.

- **Do I need to take ShPL in one block?**

A request to take SPL in one continuous block can't be refused. You can make up to three requests to your manager to take shorter 'discontinuous' blocks of SPL. Your manager will consider whether this is possible, depending on the needs of the service. Requests will not be refused unreasonably.

- **If I take multiple blocks of ShPL – can my return-to-work dates be during a school closure?**

Yes, an employee's return to work date may be during a school closure period. Advice can be sought independently or via the Trade Unions when planning return to work dates. Headteachers may also wish to seek advice from their HR provider on receipt of an application for blocks of ShPL.

5 Fostering Leave and Kinship Care

5.1.1 The school recognises and values the contribution that foster carers make to society and especially the lives of children in care. We understand that foster carers who do other work in addition to fostering need some flexibility in their working arrangements in order to meet the needs of their fostered child.

5.1.2 We will support foster carers and approved kinship carers by giving paid time off in any 12 month period as follows:

- assessment and training prior to approval as a foster carer (up to three days)
- attendance at panel for approval (one day)
- child review meetings, annual foster carer review meeting and training (up to five days)

5.1.3 This leave is available to staff who:

- are applying to become foster carers
- are approved foster carers and have a child in placement (or have had a child in placement for 75% of the previous 12 months) or are an approved kinship carer and have three months or more employment service with the school.

5.1.4 When approving the leave headteachers will consider the individual circumstances of each case and operational requirements of the school.

5.1.5 The leave will be considered and approved on a pro rata basis.

5.1.6 In addition to the above entitlement, the Flexible Working and Leave of Absence policies also apply to foster carers or kinship carers.

6 Parental bereavement leave and parental bereavement pay

6.1.1 Employees who suffer the loss of a child before they turn 18 or a stillbirth after 24 weeks of pregnancy have the statutory right to receive Parental Bereavement Leave and statutory or occupational Parental Bereavement Pay, subject to qualifying continuous service.

6.1.2 A bereaved parent is anyone who had responsibility as one of the primary carers for a child. This includes adoptive parents, legal guardians, individuals who are fostering to adopt, and any other parent/child relationship. For example, this may

include grandparents who have had caring responsibilities for a child, or instances where someone other than the biological parent is the primary carer (this could be the case where the parents of the child have separated).

6.1.3 Parents who experience a still birth from the 24th week of pregnancy will also be eligible.

6.2 Parental bereavement leave

6.2.1 All bereaved parents will be eligible for two weeks leave. Leave can be taken as follows:

- 2 weeks together
- 2 separate weeks of leave
- only one week of leave

6.2.2 A week is the same number of days that an employee normally works within a week.

6.3 Requesting parental bereavement leave

6.3.1 Parental bereavement leave can be taken at any point up to 56 weeks following the loss of a child, as follows:

- immediately following the loss of a child by informing their Headteacher
- a future date following the loss of a child, by informing their Headteacher a week prior to the leave date

6.3.2 The Headteacher will complete a payroll notification form confirming the employee's intention to take parental bereavement leave.

6.3.3 If a bereaved parent is taking another type of statutory leave (for example, maternity leave or paternity leave) when the child dies or stillbirth happens, Parental Bereavement Leave will start after the other leave has ended but does not have to be immediately after. This includes if the leave is for another child.

6.3.4 Parental Bereavement Leave can be taken between blocks of Shared Parental Leave that were booked before the child died. This includes if the Shared Parental Leave was for another child.

6.4 Parental bereavement pay

Statutory parental bereavement pay

6.4.1 All bereaved parents are entitled to receive parental bereavement pay at the statutory rate or 90% of their average weekly earnings, whichever is lowest.

Occupational parental bereavement pay

6.4.2 Bereaved parents who have been employed for over 26 weeks will be entitled to receive occupational parental bereavement pay alongside their parental bereavement leave. Occupational parental bereavement leave pay will be paid at the employee's normal rate of pay.

6.5 Support and advice for bereaved parents

6.5.1 The loss of a child is devastating and the grief of losing a child is different for everyone. A variety of support and information services are available:

- confidential support from VIVUP, LCC's Employee Assistance Service is available to employees and their immediate family 24 hours a day, 7 days a week 03303 800658 and via the website link Welcome! (vivup.co.uk)
- Tommy's a leading UK baby charity, can provide specific support and information for those who have lost a young baby website link available via Together, for every baby - Charity for Babies | Tommy's (tommys.org)

A wide range of support and advice is also available from:

- NHS support via Bereavement Support (leedsth.nhs.uk)
- The Lullaby Trust - Safer sleep for babies, Support for families
- Sands | Saving babies' lives. Supporting bereaved families.

6.6 Employment rights during parental bereavement leave

6.6.1 Employees are entitled to receive all the normal terms and conditions of the contract of employment, including annual holiday entitlement.

6.6.2 Further advice can also be found with the Schools Leave of Absence Policy.

7 Parental Leave

7.1.1 Parents, including adoptive parents have the right to take a period of time off work to look after a child or make arrangements for the child's welfare, up to their 18th birthday. Parents can use this leave to improve their work life balance. Parental leave is unpaid.

7.2 Entitlement to Parental Leave

7.2.1 Staff with one years' continuous service with their employer are entitled to a total of 18 weeks unpaid leave for each child or adopted child.

7.2.2 Leave must be taken in multiples of at least one week, except for the parents of disabled children who may also take leave in multiples of at least one day.

7.2.3 A maximum of four weeks' parental leave can be taken in a year in respect of any individual child, unless the Headteacher agrees otherwise.

7.2.4 Employees may take unpaid parental leave at any point during the course of their employment, providing they do not exceed four weeks' leave per year.

7.3 Requesting Parental Leave

7.3.1 The employee must give 21 days' notice to the Headteacher prior to the first day of the requested leave. The employee must use a Leave of Absence form when making the request.

7.4 Evidence of Entitlement to Parental Leave

7.4.1 An employer may ask to see evidence to confirm that the employee is the parent or the person legally responsible for the child. Evidence might take the form of information contained in the child's birth certificate or adoption papers.

7.5 Delaying parental leave

7.5.1 In some circumstances it may be necessary for the Headteacher to postpone a requested (or agreed) period of parental leave where:

- the employer has 'significant reason', for example the employee's absence would cause serious disruption to the operation of the school.

7.5.2 If the Headteacher postpones the period of leave they must:

- Write to the employee within 7 days of the original request, or 7 days following the Headteacher's decision to delay the start of an agreed period of leave, explaining why the leave needs to be delayed
- suggest a new leave start date which must be within 6 months of the requested start date

7.5.3 The Headteacher cannot change the amount of leave being requested or previously agreed.

7.6 The Right to Return to the Same Post after Parental Leave

7.6.1 When returning to work following a period of parental leave an employee is guaranteed the right to return to the same job as before, if the leave was for a period of 4 weeks or less.

7.6.2 If the Headteacher agreed authorised a longer period of leave, the employee will be entitled to return to the same job, or if that is not reasonably practicable, a similar job which has the same or better status, terms and conditions as the old job.

7.7 Parental Leave guidance section

7.7.1 Periods of parental leave will count towards length of continuous service.

7.7.2 The contract of employment continues during parental leave. The employee will continue to receive contractual benefits throughout the first 4 weeks of parental leave, thereafter they are as follows:

For Teachers:

7.7.3 **Pension**: Where a teacher is absent due to family leave (maternity, paternity, parental and adoption leave), such absence is treated as pensionable employment if the teacher is receiving at least half pay or is being paid statutory family leave.

7.7.4 If half pay or statutory pay ceases, then this is non pensionable employment and does not count for pension purposes. However, Keeping in touch days paid in an unpaid period will usually be pensionable.

For Support Staff:

7.7.5 **Pension:** Employees will continue to pay pension contributions on maternity, paternity, parental and adoption pay whether the pay element is a 9/10ths full pay or half pay. Payment for keeping-in-touch days will also be pensionable. On returning to work following a period of unpaid family leave the employee will be contacted by BSC Attendance Management Team and given the option of repaying the pension contributions for any unpaid period.

7.7.6 **Annual Leave**: Support staff who work all year round, as opposed to Term Time Only, will continue to accrue annual leave during the whole of their parental leave. Time off in lieu does accrue in respect of Bank Holidays which fall during the first 4 weeks only. Any time taken as parental leave will count towards qualifying service for the purpose of additional annual leave based on length of continuous service.

7.7.7 Employees should discuss their annual leave entitlement fully with their Headteacher to ensure that they have the opportunity to take their annual leave either before commencing parental leave or immediately prior to the return to work. Employees should be aware that normal provisions regarding the carry-over of annual leave will apply.

7.8 Returning to work

7.8.1 An employee returning to work after parental leave is entitled to benefit from any general improvements to the rate of pay (or other terms and conditions) which may have been introduced while he/she has been away. For teaching staff this has implications for progression within the Upper Pay Spine for example.

7.8.2 When parental leave follows ordinary maternity leave, an employee is entitled to return to the same job they had before a period of parental leave of 4 weeks or less. Employees who take a period of parental leave of 4 weeks or less before a period of ordinary maternity leave are also entitled to return to the same job when returning to work.

7.8.3 If this is not reasonably practicable, an employee returning to work following a period of maternity leave is entitled to return to a job which has the same or better status, terms and conditions as the old job, following a period of parental leave where:

- OML plus Parental Leave of four weeks or more
- OML/AML followed immediately by a second period of OML or Parental Leave of any length

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8 Neonatal Care Leave

This guidance applies to parents of babies who are admitted into neonatal care. Neonatal care leave can be requested by the biological parent, husband or partner of the mother (or adopter) including same sex partners, the child's adopter or the intended parent (if having a baby through a surrogacy arrangement) for the purpose of the taking leave to care for the baby.

The Neonatal Care (Leave and Pay) Act 2023 came into effect on 6 April 2025 and introduced a statutory right of to up to 12 weeks neonatal care leave ('NCL') from day one of employment, plus a right to receive statutory neonatal care pay ('SNCP') subject to having 26 weeks of service and meeting the average earnings threshold. Leeds City Council recognises that having a baby who is in neonatal care will be difficult emotionally and can also impact families financially. The provisions outlined in this guidance are intended to support parents whilst their baby is receiving Neonatal Care, without this impacting on family leave.

Entitlement to Neonatal Care Leave Neonatal Care is defined as medical care received in hospital or medical care received elsewhere following discharge from an inpatient stay in hospital. The care must be under the direction of a consultant and includes ongoing monitoring and visits to the baby by healthcare professionals, or palliative or end of life care.

To qualify the following conditions must be satisfied:

- Your child was born on or after 6 April 2025
- Your child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child is born).
- the neonatal care has lasted 7 days or longer without interruption (the 7 days are counted from the day after the neonatal care started)

Parents are entitled to one weeks leave for every week their baby spends in neonatal care without interruption up to a maximum of 12 weeks. This will be in addition to other leave entitlements such as maternity or paternity or shared parental leave. Neonatal Care Leave must be taken in the first 68 weeks of the baby's birth. In the case of multiple births e.g. twins, if both were receiving care for 6 weeks you would only be entitled to six weeks.

There are two periods during which Neonatal Care Leave (NCL) may be taken: **The 'tier 1'** period is the period during which the child is receiving neonatal care or during the week following the end of neonatal care.

In this period notice need only be given by the time an employee is due to start work on the first day of each week of leave. This reduced notice period requirement reflects the fact that, if leave is taken during the **'tier 1'** period, it will often be taken in unforeseen and emergency circumstances. During the **'tier 1'** period, NCL cannot be taken for the first week that a child is in neonatal care. It can be taken as consecutive or non-consecutive weeks. Any remaining entitlement to NCL may be taken in the **'tier 2'** period.

In practice, NCL is only likely to be taken in the **'tier 1'** period by the child's father or mother's partner, since the mother is likely to be on maternity leave during this period. It might, for example, be used by the father or partner where paternity leave has run out whilst the baby is still undergoing neonatal care. The **'tier 2'** period is any leave taken outside the **'tier 1'** period and is not as flexible. In this period, employees must give 15 days' notice of one week's leave, or 28 days' notice of two or more weeks' leave.

Additionally, leave in this period can only be taken in one continuous block. The lack of flexibility reflects the fact that, in practice, **'tier 2'** leave is likely to be taken where someone on maternity or adoption leave tags NCL on to the end of their maternity or adoption leave, such that they can pre-empt the taking of leave and plan to give advance notice accordingly.

Entitlement to Statutory Neonatal Care Pay ('SNCP')

To qualify for Statutory Neonatal Care Pay ('SNCP') you must have had 26 weeks' continuous service by the 15th week before your expected week of childbirth, and your gross average earnings need to be above the lower earnings limit for the payment of national insurance contributions. **The council's provisions exceed the statutory provisions in that Neonatal Leave will be paid at full rather than statutory pay.**

If you qualify for Statutory Neonatal Care Pay (SNCP) you will receive SNCP plus Occupational Neonatal Care pay up to your full salary. To apply for Neonatal Care leave and pay if applicable to receive the pay provisions, you must complete the relevant maternity/adoption, Statutory Partner/Paternity or Shared Parental Leave documentation, which contains a section relating to Neonatal Care leave.

Where a baby is born prematurely and enters neonatal care, you may choose whichever of the premature birth or Neonatal care leave provisions are most beneficial for you. If you opt for the premature birth provisions, but your baby is in neonatal care for some or all this period, your pay will comprise of Statutory Neonatal Care Pay where applicable and the remainder will be made up of premature birth leave and pay.

Maternity - Example 1:

- Baby born at 36 weeks (4 weeks before due date) and receives Neonatal care for the first 2 weeks
- Premature birth entitlement is 4 weeks and Neonatal Care Leave entitlement is 2 weeks
- Therefore, the Premature birth entitlement is the most beneficial
- Receive 4 weeks full pay made up of:
    - ❖ Occupational Neonatal Care pay up to maximum of full salary which includes 2 weeks
    - ❖ Statutory Neonatal Care Pay (SNCP)
    - ❖ 2 weeks Premature birth entitlement

Paternity - Example 2:

- Baby born at 28 weeks (12 weeks before due date) and receives Neonatal care from birth for 13 weeks
- Premature birth entitlement is 2 weeks and Neonatal Care Leave entitlement is 12 weeks (as Neonatal Care leave is capped at 12 weeks).
- Therefore, Neonatal Care Leave entitlement is the most beneficial
    - ❖ Receive 12 weeks full pay made up of:
    - ❖ Occupational Neonatal Care pay up to maximum of full salary, which includes :
    - ❖ 12 weeks Statutory Neonatal Care Pay (SNCP)

9 Equality Impact Assessment

9.1.1 This policy has been developed with reference to national terms and conditions and within the guidance of Employment Laws. A consultation process with Trade Union professionals has been conducted in the development of this policy.

9.1.2 As part of our ongoing assessment, we are committed to regular monitoring as to the impact of this policy.