

**MATERNITY / PARENTING LEAVE SCHEME
FOR TEACHERS
May 2015 (amended April 2018)**

INTRODUCTION

This scheme applies to all teachers of the London Borough of Ealing regardless of length of service and number of hours worked.

The scheme details the extent to which entitlement to maternity pay is determined by length of service and provides an explanation as to the difference between statutory and contractual elements.

The scheme also includes provisions relating to parenting/nominated carer leave and adoption and fostering and shared parental leave.

MATERNITY SCHEME

GLOSSARY OF TERMS

Maternity Pay

This is the pay you receive when you go on leave to have your baby:

- **Statutory Maternity Pay (SMP) or Maternity Allowance (MA)** - Pay which you may be entitled to receive by law.
- **Occupational Maternity Pay** - Pay which you may be entitled to receive from your employer.

Your entitlement to maternity **pay** will be determined by your length of service.

Statutory Maternity Pay (SMP)

The rules and rates for this payment are set by the Government, who then require the employer to be responsible for paying and administering SMP on its' behalf. The School can reclaim from the Government part of the SMP payments it makes to the employee. To qualify for SMP you must satisfy two basic rules, the continuous employment rule and the earnings rule:

Continuous Employment Rule

- You must have been employed continuously by the same employer (regardless of the number of hours worked) for at least 26 weeks at the qualifying week (see definition below)

Earnings Rule

- You must be earning an average of at least £112 (need to check this rate is still current) a week (before tax) in 2015. This rate changes annually.

SMP can be paid for a period up to, but not exceeding 39 weeks. There are two levels of payment and all women who qualify for SMP are entitled to both levels of SMP. Payment for the first 6 weeks is at the higher rate, which is the equivalent of 90% of the woman's normal weekly earnings. Payment for the remaining weeks is at a fixed standard weekly rate (£139.58 in 2015) inserted or rate equal to 90% of average weekly earnings (you will get whichever rate is lower).

Qualifying Week

This is the 15th week before the week in which your baby is due. It is used to work out your statutory entitlements.

Maternity Allowance

If you are not entitled to receive SMP you may be able to claim state maternity allowance from your Job Centre Plus office/Social Security office, provided that you satisfy the contribution conditions based on your previous employment or self employment. Payments are made weekly for a maximum period of 39 weeks.

To claim maternity allowance you must have received a completed form (SMP1) that will be sent to you by Schools Payroll if you have supplied your MATB1 and you have been assessed as not being eligible for the payment of SMP. To claim MA you will need to complete a claim pack which is available from either Schools Payroll or your local Job Centre Plus or on line at <http://www.jobcentreplus.gov.uk>

Expected Week of Childbirth (EWC)

This is the week in which your baby is due. This is the week beginning with midnight between Saturday and Sunday during which it is expected that the baby will be born. This date will be shown on your medical statement (MATB1 certificate) which you should get from your doctor or midwife once you reach the 14th week before the EWC (from the Sunday of your 27th week of pregnancy.)

Week of Childbirth

This is the week beginning with midnight between Saturday and Sunday during which the child is actually born.

Childbirth

The birth of a living child, or the birth of a child whether living or not after 24 weeks of pregnancy

Average or Weekly Pay

Occupational Maternity Pay - a week's pay shall be as constituted in accordance with the National scheme. A weeks pay shall be treated as the amount payable to the teacher under the current contract of employment. If there are significant variations in the teacher's salary, the average salary over the twelve weeks preceding the date of absence shall be treated as a week's salary.

Statutory Maternity Pay – normal weekly earnings for the purpose of calculating SMP is the women's actual earnings over the period of eight weeks up to and including the qualifying week (15 weeks before the expected week of childbirth)

Statutory Maternity Leave Period

Subject to observing notification requirements, all pregnant employees are entitled to a statutory 52 weeks maternity leave starting from the Sunday preceding the baby's birth, regardless of their length of service or hours of work. Maternity leave may be longer than 52 weeks should the employee choose to commence maternity leave prior to baby's birth. The 52 weeks statutory leave includes 26 weeks ordinary maternity leave and 26 weeks additional maternity leave. The 26 week period of additional maternity leave will immediately follow the 26 week period of ordinary maternity leave.

This leave entitlement should not be interpreted as giving any rights to maternity pay, for which there are specific qualifications outlined in this guidance.

MATERNITY PAY

The amount of maternity pay that you will be entitled to will depend on the amount of service you have:

- If you have at least **7 months continuous Local Education Authority service as a teacher** immediately before your absence starts you will qualify for occupational maternity pay as set out in **part A**.
- If you have been continuously employed by the School for **at least 26 weeks** into the **qualifying week** (week 15) then you will be entitled to SMP.

Please note that in some circumstances your SMP entitlement is set against your occupational maternity pay. This is explained in detail in part A.

MATERNITY PROVISIONS

The maternity provisions in this guidance have been divided into **two** sections, **part A** and **part B**.

Part A

- If you have at least 7 months continuous Local Education Authority service as a teacher immediately before your absence starts your entitlements are outlined in part A.

Part B

- If you have less than 7 months continuous Local Education Authority service as a teacher immediately before your absence starts your entitlements are outlined in part B

PART A

Part A applies to teachers with at least 7 months continuous Local Education Authority service as a teacher immediately before your absence starts.

To qualify for all elements of the occupational scheme, you will be required to complete, sign and return the form of intent at the back of the guidance and comply with any other notification requirements detailed.

Initial Obligations of the Teacher

To qualify for the scheme you must:

- Be pregnant
- Continue to be employed by the School (whether at work or not) immediately before the start of your absence.
- Notify your school and the HR Shared Service Centre in writing, as soon as practicable, but not later than 15 weeks (unless there is a good cause) before the expected week of childbirth (EWC) that you wish to be absent for maternity leave.
- Declare that you are pregnant, state your expected date of childbirth, when you would like your maternity leave to start (no earlier than 11 weeks before the EWC) and whether you intend to return to work by completing the intent form attached to this guidance. Send the intent form to Schools HR (a copy also needs to be given to your school) at least 21 days before you are due to commence maternity leave.
- Produce a certificate from a registered medical practitioner or certified midwife stating the EWC (MATB1)
- Not remain at work if certified medically unfit to do so.

The HR Shared Service Centre will write to you within 28 days of receipt of your notification to confirm the maximum period of maternity leave to which you are entitled, including a projected date of return from maternity leave. You may choose to return earlier than the projected date of return provided that you give 21 days notice.

Commencement of maternity leave

You may commence maternity leave any time from the 11th week before the expected week of childbirth

You may continue to work later into your pregnancy if you wish, providing that you are not certified medically unfit to do so.

The commencement of your maternity leave is triggered by one of the following:

- The date you notify your school and the School as the date you intend to start maternity leave; or

- If earlier, the day after the first complete day of any absence from work wholly or partly because of a pregnancy related illness which occurs after the beginning of the 4th week before the expected week of childbirth; or
- If childbirth occurs before the day on which you would otherwise have commenced maternity leave, the day after the birth will be the start of your maternity leave.

You may change the date your maternity leave commences provided you give 28 days notice.

Time Off To Attend Appointments

Any pregnant employee has the right to paid time off to attend antenatal care appointments and relaxation and parent craft classes. Evidence of these appointments must be produced if requested to do so by the school, except in the case of the very first appointment.

Length of Maternity Leave

You may start your maternity leave from the 11th week before the week of childbirth and remain absent for a period of up to 52 weeks from the beginning of the week in which your child is born. This allows you to care for your child during its first year of life. It is statutory requirement that you take a period of at least two weeks leave after the date of childbirth.

Maternity Pay

There are two elements to maternity pay. Both elements are administered by your employer. They are Occupational Maternity Pay and Statutory Maternity Pay (SMP). Entitlement to one may not necessarily mean entitlement to the other. You will also note that some payments are made offset against SMP and some are made in relation to SMP.

If you intend to return to work for a period of at least three months (13 weeks) having completed the form of intent, and having the necessary service as outlined above you will be entitled to the following pay during your maternity leave:

1. **For the first four weeks of absence** – full pay, offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP.
2. **For the next two weeks of absence** – 9/10ths of a weeks salary, offset against payments made by way of SMP or MA for employees not eligible for SMP.

3. **For the next twelve weeks of absence*** – half pay plus lower rate SMP, without any deductions except by the extent to which the combined half pay and lower rate SMP (or if not eligible for SMP, maternity allowance and any dependent' allowances) exceeds full pay.
4. **For the next twenty one weeks** – twenty one weeks lower rate SMP for employees eligible to receive SMP.

***Staff with twelve months continuous service with the London Borough of Ealing at the EWC will qualify for an extra six weeks half pay, making a total of 18 weeks half pay. This is followed by 15 weeks lower rate SMP not 21 as stated above (4)**

In the event of you not returning to work for a period of at least 13 weeks at your original contracted hours, or if it is agreed that you may reduce your contracted hours, at the equivalent extended period, you will be asked to refund the half pay or such part thereof as the School at its' discretion may decide. Alternatively, you can choose to defer the half pay (this option is shown on the form of intent at the back of this guidance) if you are not certain as to whether you will be returning and do not want to consider the prospect of paying back half pay. In the event that you choose to defer the half pay and then decide to return to work and for a period of at least 13 weeks at your contracted hours or an equivalent extended period if returning on reduced hours, you will be entitled to receive the half pay upon completing the required 13 weeks service (or the equivalent extended period if it is agreed the employee can return on reduced hours).

The period of 13 weeks shall run from the date upon which you return to duty and shall be inclusive of school holidays and dates of school closure.

Following a return to work after a minimum of 13 weeks on the original hours, the normal provisions of termination to the end of term upon notice shall apply.

Accrual of Annual Leave During Maternity Leave

Under the Working Time Regulations (WTR) employees (including teachers) have a statutory right to 28 days annual leave. This is not a right that teachers have on top of the current school closure arrangements so for most no additional leave is granted. However maternity leave is not regarded as annual leave for these purposes so there may be circumstances where teachers who take maternity leave become entitled to additional annual leave.

A teacher who takes maternity leave must be able to take the 28 days statutory annual leave at a time outside of her maternity leave. No part of the maternity leave period may be treated as annual leave. Annual leave can however be

offset by any period of school closure that has taken place in the leave year commencing 1 September i.e. both before and after the maternity leave period.

Subject to the timing and length of a teacher's maternity leave, there will be circumstances where there will not be sufficient school closure dates within the leave year for the teacher to offset the whole of the annual leave entitlement. In these circumstances the teacher will be entitled to additional annual leave during term time. This should be taken during the leave year in question or, where there is insufficient time remaining in that leave year for all of the additional leave to be taken, any remaining part of the accrued annual leave should be offset against school closure dates in the following leave year.

Sickness and Other Absence

If you are absent from work due to sickness up to the fourth week before the EWC , including absence due to miscarriage, you will be treated as being on sick leave, even if the absence is attributable to your pregnancy. The conditions normally governing such absences will apply.

If you are absent from work due to sickness from the fourth week before the EWC and the illness is wholly or partly attributable to pregnancy then maternity leave will automatically commence on the day after the first day of absence.

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

Health & Safety Considerations for New and Expectant Mothers

The School is mindful that some employees may have concerns about the use of display screen equipment. Any pregnant employee who works with display screen equipment may, if she wishes, consult the Occupational Health Unit. If, after consulting Occupational Health, an employee feels unable to work with display screen equipment arrangements will be made to address that situation without detriment to existing salary and conditions of employment.

An employer is required, under Health and Safety at Work Regulations, to carry out a "risk assessment" and take "protective measures" in relation to working conditions for new and expectant mothers. If you do have any concerns in this respect you should bring them to the attention of your Headteacher immediately who may seek advice from Schools HR.

An employer is also required to provide pregnant and breastfeeding employees with a place to rest and with suitable rest periods.

The Health and Safety Policy and an example risk assessment are available on EGFL:

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Notification of the Birth

Should your baby be born after the expected date of childbirth please inform the HR Shared Service Centre of your babies date of birth. This will enable them to confirm your maternity leave entitlement and adjust your anticipated date of return.

Keeping in Contact During Maternity Leave

During your maternity leave period your Head teacher may make reasonable contact with you and in the same way you may make contact with your Head teacher.

Before your maternity leave starts it may be helpful to discuss arrangements for staying in touch with each other. This will include agreements on the way in which contact will happen, how often, and who will initiate the contact. It will also cover the reasons for making contact and the type of things that could be discussed. Your Head teacher must, in any event, keep you informed of promotion opportunities and other information relating to your job that you would normally be aware of if you were working.

Work During the Maternity Leave Period – “Keeping in touch Days”

You may, by agreement with your Head teacher, work for up to 10 days during your maternity leave period. This will not affect your maternity leave or right to receive maternity pay. However, work cannot be undertaken during the 2 weeks of compulsory maternity leave immediately after the birth.

Keeping in Touch Days (KIT) are different from the “reasonable contact” days as during KIT days you will be paid.

The keeping-in-touch days do not have to be consecutive and may be used for an activity, which would normally be classed as work under your contract of employment, for which you would be paid. KIT days may be useful, for example, to undertake work-related activities such as attending a conference, undertaking a training activity or attending meetings. Any work and the type of work undertaken during the maternity leave period must be by agreement with the Head teacher and yourself. There is no obligation on either party for work to be offered or accepted. Any work done on any day during the maternity pay or maternity leave period will count as a whole KIT day. Any days of work undertaken will not extend the maternity leave period.

An employee who works up to half a KIT day during the unpaid maternity leave period will receive the equivalent of half a days pay. An employee who works more than half a KIT day will receive the equivalent of a full days pay.

Where a KIT day occurs during the paid maternity leave period, contractual pay receivable under the preceding paragraph will be paid without deduction, except to the extent to which the combined pay, OMP and SMP exceed full pay.

Returning to Work

Right to Return

A teacher has the right to return to work to the job she was employed to do under her original contract of employment and on terms and conditions not less favourable than those which would have been applicable to her if she had not been absent on maternity leave. This means that you have the right to return to the job that you left to start your maternity leave, subject to the remaining paragraphs of this section. Job for this purpose, means the nature of the work which you are employed to do and the capacity and place in which you are so employed.

Where it is not practicable, by reason of redundancy, for the school or School to permit you to return to work in your job as defined above, you shall be offered a suitable alternative vacancy, where one exists, provided that the work in that post is suitable to you and appropriate to the circumstances, and that the capacity and the place in which you are to be employed and your terms and conditions of employment are not substantially less favourable than if you had been able to return to the job in which you were originally employed.

Suitable alternative employment may also be offered in exceptional circumstances other than redundancy (eg a major reorganisation), which would have occurred if you had not been absent. This may involve a change in the duties and responsibilities of the post in which you were employed prior to your absence. The new duties should be suitable to you and appropriate to the circumstances and the capacity and place in which you are to be employed and your terms and conditions of employment should not be substantially less favourable than if you had been able to return to the duties you were originally employed to perform.

Returning Part Time or as a Job Share

You may request to return to work on a part time basis and such a request will be considered by the relevant body responsible for your employment. Your request may be to return to work part time for a temporary period with a view to resuming full time hours eventually or to change your contract to a permanent part time working arrangement. In the event that your request is agreed, and you have

received half pay, you will need to be mindful of your obligation to return to work for a period which equates to 13 weeks of your full time service.

You can also request to return to work on a job share basis. If you wish to return to work on a job share basis, you must advise the relevant body responsible for your employment and they must then consider your request.

If the relevant body* cannot agree a request for job share or part time working they should advise you of the grounds upon which your request was not agreed.

**In the case of a school operating a delegated budget, the governing body is the relevant body. In the case of a teacher employed at a Nursery centre or employed within another teaching service whose budget is controlled by the LA the relevant body is the LA*

Parents of children aged under 6 or of disabled children aged under 18 have the right to request to work flexibly. Your employer has a duty to consider such requests seriously. For further information and advice on flexible working please contact the Schools HR Advisory Service.

Exercising the Right to Return

Your anticipated date of return from maternity leave will be confirmed in writing to you before you commence your leave. However, should you wish to return before the end of your maternity leave period you are required to give 21 days notice. Failure to provide 21 days notice may result in your early return date being postponed for up to 21 days from the date the notification is received.

If because of an interruption of work (whether due to industrial action or some other reason) it is unreasonable to expect you to return at the end of your maternity leave (or notified date if you are returning early) you may instead return when work resumes, or as soon as reasonably practicable thereafter.

Resignation

If you resign whilst on maternity leave your last day of service will be the date when the confirmation of resignation is received. It would not be the intention of either party that a notice period should be worked. However, you should endeavour to give as much notice as possible of your intention to resign.

PART B

Part B applies to teachers with less than 7 months continuous Local Education Authority service as a teacher immediately before your absence starts.

Initial Obligations of the Teacher

To qualify for the scheme you must:

- Be pregnant
- Continue to be employed by the School (whether at work or not) immediately before the start of your absence.
- Notify your school and the HR Shared Service Centre in writing, as soon as practicable, but not later than 15 weeks (unless there is a good cause) before the expected week of childbirth (EWC) that you wish to be absent for maternity leave.
- Declare that you are pregnant, state your expected date of childbirth, when you would like your maternity leave to start (no earlier than 11 weeks before the EWC) and whether you intend to return to work by completing the intent form attached to this guidance. Send the intent form to the HR Shared Service Centre (a copy also needs to be given to your school) at least 21 days before you are due to commence maternity leave.
- Produce a certificate from a registered medical practitioner or certified midwife stating the EWC (MATB1)
- Not remain at work if certified medically unfit to do so.

The HR Shared Service Centre will write to you within 28 days of receipt of your notification to confirm the maximum period of maternity leave to which you are entitled, including a projected date of return from maternity leave. You may choose to return earlier than the projected date of return provided that you give 21 days notice.

Commencement of maternity leave

You may commence maternity leave any time from the 11th week before the expected week of childbirth

You may continue to work later into your pregnancy if you wish, providing that you are not certified medically unfit to do so.

The commencement of your maternity leave is triggered by one of the following:

- The date you notify your school and the School as the date you intend to start maternity leave; or

- If earlier, the first day of any absence from work wholly or partly because of a pregnancy related illness which occurs after the beginning of the 4th week before the expected week of childbirth; or
- If childbirth occurs before the day on which you would otherwise have commenced maternity leave, the day after the birth will be the start of your maternity leave.

You may change the date your maternity leave commences provided you give 28 days notice.

Time Off To Attend Appointments

Any pregnant employee has the right to paid time off to attend anti-natal care appointments and relaxation and parent craft classes. Evidence of these appointments must be produced if requested to do so, except in the case of the very first appointment.

Since 1 October 2014, fathers and partners of pregnant women have been entitled to unpaid time off to attend two ante-natal appointments

Length of Maternity Leave

You may start your maternity leave from the 11th week before the week of childbirth and remain absent for a period of up to 52 weeks from the beginning of the week in which your child is born. This allows you to care for your child during its first year of life. It is statutory requirement that you take a period of at least two weeks leave after the date of childbirth.

Salary Entitlement during Maternity Leave

You will not qualify for occupational maternity pay. You may qualify for Maternity Allowance (MA), please refer to the glossary of terms for information about MA.

STATUTORY PATERNITY LEAVE

An employee qualifies for statutory paternity leave if they have 26 weeks continuous service with Ealing by the end of the 15th week before the expected week of childbirth. They have to be the child's father, or the spouse, partner (same or opposite sex) of the child's mother and have or expect to have responsibility for the child's upbringing.

The entitlement is two weeks paid leave. The weekly rate for Statutory Paternity Pay will be the lesser of £139.58 (2015, this rate changes annually) or 90% of the employees average weekly earnings.

To claim SPP a self-certification form needs to be completed. Forms are available from Schools Payroll.

The self-certification form must be submitted in or before the 15th week before the expected week of childbirth.

Paternity leave and pay

An employee who is the father to be, or will share the responsibility with a partner for bringing up a child, may have the right to Statutory Paternity Leave and Pay. This includes those who are adopting a child.

Paternity leave is available to employees who:

- have or expect to have responsibility for the child's upbringing
- are the biological father of the child or the mother's husband or partner (including same sex relationships)
- have worked continuously for the School for 26 weeks ending with the 15th week before the baby is due or the end of the week in which the child's adopter is notified of being matched with the child
- give the correct notice.

The employee should tell the School as soon as possible that they wish to take paternity leave, but no later than the end of the 15th week before the expected week of childbirth. They should say when the baby is due, if they are going to take one or two weeks off, and when they expect their paternity leave to start. Those who are eligible can choose to take a single block of either one week or two consecutive weeks' paid paternity leave, leave must however be taken in blocks.

An employee has to take their paternity leave within 56 days of the actual date of birth of the child. Paternity leave cannot start until the birth of the baby.

Notification of paternity leave

Where an employee wishes to request paternity leave, he/she must give 15 weeks' written notice of the date on which his/her partner's baby is due, state the length of ordinary paternity leave he/she wishes to take and the date on which he/she wishes the leave to commence. Employees are required to complete the Notification and Self-Certification for Paternity Leave and Pay Form 1 to request paternity leave and pay (see PLP 1).

If the birth of the child is late, leave must be postponed to start no earlier than the date of birth.

If an employee subsequently wishes to change the timing of the ordinary paternity leave, he/she must give 28 days' written notice of the new dates.

Where it is not reasonably practicable to give such notice, notice must be given as soon as is reasonably practicable.

Statutory paternity pay

Pay during ordinary paternity leave will be at a standard rate per week, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than the standard rate.

Since 5 April 2015, employees with more than 30 weeks continuous service with Ealing have been entitled to up to eighteen weeks unpaid statutory parental leave (or pro-rata based on hours worked) to be taken within 18 years following the birth of the child for whom they have parental responsibility.

Where paid parental/maternity support leave is taken this will form a part of the overall eighteen week entitlement. (i.e. the combined maximum period of paid and unpaid leave is eighteen weeks).

The paid provision should normally be taken at or around the time of the birth with the remaining period of unpaid leave taken within 18 years after the birth. The full entitlement may be taken at the time of the birth subject to the eligible employee giving three months written notice of this intention. If preferred, the employee can request that leave is taken on a flexible/staggered basis. If staggered this must be taken in whole weeks, normally subject to a maximum of four weeks per year, and be agreed in advance with the designated manager.

The entitlement is per parent per child, so that if there are twins, each parent has an entitlement to 36 weeks in total.

Employees should give their line manager in writing as much notice as possible of their request for parental/maternity support leave (at least 21 days' notice). The employee may be required to provide proof of the birth or expected birth before parental/maternity support leave is granted.

Employees transferring to Ealing from another employer who have parental responsibility for a child will be entitled to a maximum of four weeks unpaid leave in any twelve month period up to the 18th birthday of the child.

Additional paternity leave

Eligible employees may take up to 26 weeks' additional paternity leave within the first year of their child's life provided that the mother has returned to work before using her full entitlement to maternity leave.

The earliest that additional paternity leave can commence is 20 weeks after the date on which the child is born and it must end no later than the date of the child's first birthday. Additional paternity leave must be taken as a single block in multiples of complete weeks. The minimum period is two consecutive weeks and the maximum period is 26 weeks.

The leave taken cannot be more than that foregone by the mother but it can be less.

Salary may be replaced by statutory paternity pay for some of the additional paternity leave period if the employee is eligible to receive it (see eligibility criteria below). The remaining period of additional paternity leave is unpaid.

Eligibility for additional paternity leave

In order to be eligible for additional paternity leave, an employee must satisfy each of the following criteria:

- He/she must be the father of the child or married to, the civil partner of, or the partner of, the child's mother, expect to have the main responsibility for the upbringing of the child (apart from the mother's responsibility). He/she must be taking the leave to care for the child.
- He/she must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born
- He/she must remain in continuous employment until the week before the first week of additional paternity leave.
- The mother of the child must be entitled to one or more of maternity leave, statutory maternity pay or maternity allowance. The mother must have returned to work and forfeited a portion of her maternity leave.

Notification of additional paternity leave

Where an employee wishes to request additional paternity leave and pay, he/she must give eight weeks' written notice of the date on which he/she wishes to take the leave and, if applicable, additional statutory paternity pay to commence. Employees are required to complete the Notification and Self-Certification for Additional Paternity Leave and Pay Form 2 to request additional paternity leave and pay (available on the Intranet or from the HRSSC ext 9000

Additional statutory paternity pay

Additional statutory paternity pay may be payable during some of additional paternity leave. An employee is entitled to additional statutory paternity pay if they fulfil the eligibility requirements for paternity leave and the following criteria below:

- His/her average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions;
- The mother is entitled to statutory maternity pay or maternity allowance and the mother has returned to work before her full entitlement to statutory maternity pay/maternity allowance has been exhausted;
- The mother has at least two weeks of her maternity pay period that remains unexpired; and
- He/she gives proper notification in accordance with the rules set out above.

Any statutory paternity pay due during additional paternity leave will be paid at a standard rate per week, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than the standard rate.

Statutory paternity pay is payable whether or not the employee intends to return to work after his/her additional paternity leave.

Pension contributions will continue to be made during any period when the employee is receiving statutory paternity pay but not during any period of unpaid additional paternity leave. Employee contributions will be based on actual pay, while employer contributions will be based on the salary that the employee would have received had he/she not gone on additional paternity leave.

Contract of employment

During the period of additional paternity leave, the employee's contract of employment continues in force and he/she is entitled to receive all his/her contractual benefits, except for salary.

Contact during additional paternity leave

The contact provisions of the maternity leave scheme apply during additional paternity leave.

Keeping-in-touch days during additional paternity leave

The keeping in touch provisions of the maternity leave scheme apply during additional paternity leave.

Returning to work after additional paternity leave

The employee will have been formally advised in writing by the School of the end date of his/her additional paternity leave.

If the employee wishes to return to work earlier than the expected return date, he/she must give the School at least six weeks' notice in writing of his/her date of early return. If he/she fails to do so, the School may postpone his/her return to such a date as will give the School six weeks' notice, provided that this is not later than the expected return date.

If the employee decides not to return to work after additional paternity leave, he/she must give notice of resignation as soon as possible and in accordance with the terms of his/her contract of employment.

On resuming work after both ordinary and additional paternity leave the employee is entitled to return to the same job as he/she occupied before commencing paternity leave on the same terms and conditions of employment as if he/she had not been absent.

PARENTING/NOMINATED CARER LEAVE

This is an occupational scheme and incorporates statutory paternity leave and pay for those employees eligible. It is not an additional entitlement.

Employees who are the partner or "nominated carer" of an expectant mother and who have less than 7 months Local Education Authority service at the expected date of childbirth are entitled to 5 days paid "maternity support" leave. This would normally be taken around the time of the birth.

Employees who are the partner or "nominated carer" of an expectant mother and who have 7 months or more Local Education Authority service at the expected date of childbirth are entitled to an additional 5 days paid "maternity support" leave (ie a total of 10 working days paid leave). This would normally be taken around the time of the birth.

All employees with one years service with Ealing are entitled to request thirteen weeks unpaid statutory parental leave to be taken within the first 5 years following the birth of a child for whom they have parental responsibility. In the case of a child born with a disability (who is eligible to receive a Disability Living Allowance) this is extended to the first eighteen years. Where paid maternity support leave is taken this will form part of the overall thirteen week entitlement (ie the combined maximum period of paid and unpaid leave is thirteen weeks). The paid provision should normally be taken around the time of the birth with the remaining period of unpaid leave taken within the first five years after the birth. The full entitlement may be taken at the time of the birth subject to the eligible employee giving three months written notice of this intention.

All of the above entitlements are based on full time employment. Part time employees will have pro rata entitlement.

A copy of the maternity certificate will be required in support of the application along with a completed leave of absence form (available from Schools HR).

Those employees eligible for Statutory Paternity Pay (see above paragraph "Statutory Paternity Leave") are required to complete a self-certification form. This form must be submitted in or before the 15th week before the expected week of childbirth.

Where both the mother and the partner/nominated carer work for Ealing the partner/nominated carer will be entitled to any unpaid maternity leave not taken by the mother. To exercise this right the partner/nominated carer must confirm their intention in writing at the earliest opportunity and in any event no later than 28 days before they wish to commence the unpaid leave. The partner/nominated carer must also notify his/her date of return within the period of outstanding unpaid leave, to the school before commencing the leave. This is a separate provision from the above.

When taken, maternity support and /or parental leave will not count against either holiday or sick leave entitlement.

Employees transferring to Ealing from another employer who have parental responsibility for a child will be entitled to a maximum of four weeks unpaid leave in any twelve month period up to the fifth birthday (or 18th as appropriate) of the child.

The above provision for a period of unpaid parental leave is intended to incorporate the entitlements under the Employment Rights Act 1999. The terms described are subject to amendment as necessary to comply with any statutory regulations, which may be brought forward, covering eligibility and/or entitlements to parental leave.

PENSIONS, TAX AND NATIONAL INSURANCE

PENSIONS

During your period of paid absence, pension contributions will be based on the actual amount of maternity pay you receive during the maternity leave period. The employers pension contributions are, however, calculated as if you were working normally and receiving the normal remuneration for doing so. During any period of unpaid absence, neither the employer nor the employee pays any contributions.

It is however possible for you to cover any gap in your contribution record. Please contact Teachers Pensions for advice at: <http://www.teacherspensions.co.uk/> or telephone them on 0845 6066166, this is a BT local call rate number. Alternatively you may contact them on 01325 745000, this is a standard national rate number, Minicom 0845 6099899 or fax 01325 745789.

The address is:
Teachers' Pensions
Capita Hartshead

Mowden Hall
Darlington
DL3 9EE

TAX AND NATIONAL INSURANCE (NI)

Occupational maternity pay is liable to tax and deduction of NI contributions, in the same way as normal pay.

During any period of unpaid maternity leave no NI contributions will be made on your behalf.

If your earning falls below the lower earnings limit for NI contributions you will not be liable to pay them.

If the total of your NI contributions fall below the minimum threshold at the end of the tax year you should receive a notice from the HM Revenue & Customs (HMRC), National Insurance Contributions office, inviting you to make up the contributions. It is up to you to decide whether or not you wish to pay them but you should note that non-payment might affect your ability to claim contributions related benefits in the future.

ADOPTION/FOSTERING LEAVE

ADOPTION LEAVE

Statutory Adoption Leave and Pay

Eligible employees who are adopting are entitled to 52 weeks adoption leave.

An employee is entitled to 39 weeks paid statutory adoption leave and a further 13 weeks unpaid leave if they have been continuously employed by Ealing for a period of not less than 26 weeks ending with the week they are notified of having been matched with the child. An employee must also earn above the lower earnings limit.

To qualify for Statutory Adoption Pay verification from the adoption agency will be required as set out below.

Occupational Adoption Leave Scheme

This scheme incorporates statutory adoption leave and pay for those employees eligible. It is not an additional entitlement.

This adoption leave scheme applies to all teachers employed in schools or teaching services maintained by the School who have at least seven months continuous service with Ealing or other LAs immediately prior to the start of any absence under these provisions. If both partners work for the Authority, the leave can be shared between the partners provided they both have the requisite qualifying service.

If more than one child is being adopted, the same benefits apply, i.e. there is no enhancement for more than one child being adopted at the same time. However, each eligible employee will have the right to a maximum of 13 weeks unpaid parental leave for each adopted child. This leave is to be taken within 5 years of the date of the adoption or before the eighteenth birthday of the adopted child whichever occurs first.

To qualify for the entitlements under this scheme verification will be required in the form of a letter/matching certificate from the adoption agency, which confirms the adoption. The adoption agency must be approved and a representative of the Director of Children's Services must verify this approval. The letter must contain:

1. The name and address of the agency
2. The name and date of birth of the child
3. The date on which the employee was notified that they had been matched with the child.
4. The date on which the agency expects to place the child with the employee.

If an employee is not going to be the principal carer, they are still entitled to the benefits of pre adoption provisions (see below). In addition, the principal of the parental and maternity support leave scheme will apply.

For overseas adoptions the employee must produce a letter from the approved British adoption agency which conducted the home study report for the applicant confirming that they have been approved to adopt from overseas and stating which country the child is from. The employee must also produce a letter from the overseas organisation/agency, confirming the arrangements.

For overseas adoption the employee is also required to provide evidence that the child has entered Great Britain. The earliest the adoption leave and pay may begin is the date the child enters Great Britain. Adoption leave and pay must begin within 28 days of the child's entry to Great Britain and must be completed within 56 days of the child's entry.

All paid leave is granted on the condition that the employee return to work for at least 13 weeks at their contracted hours or they will be asked to refund an amount not more than 12 weeks half pay, or such part thereof, as the School at its discretion may decide.

A maximum of one weeks leave with pay and one weeks unpaid leave can be transferred from post adoptive provisions to cater for pre-adoption meetings (e.g., with children's services).

Employees are entitled to a maximum of 52 weeks leave commencing from either the official date of placement or a pre determined date no earlier than 14 days before the expected date of placement (and no later than the expected date of placement).

There are two elements to adoption pay, occupational adoption pay and statutory adoption pay (SAP). Entitlement to one may not mean entitlement to the other. Also, some payments are made offset against SAP and some made in relation to SAP.

Entitlements to pay will depend upon the age of the child being adopted and are as follows:

For adoption of children under one

Pay during the leave period – 4 weeks full pay (offset against payments made by way of SAP), 2 weeks at 9/10 pay (offset against SAP) 12 weeks at half pay plus SAP (combined half pay and SAP must not exceed full pay) and 21 weeks SAP.

Any other leave taken up to 52 weeks is without pay.

For adoption of children between one and four

Pay during the leave period –4 weeks full pay (offset against payments made by way of SAP), 2 weeks at 9/10 pay (offset against SAP) 10 weeks at half pay plus SAP (combined half pay and SAP must not exceed full pay) and 23 weeks SAP.

Any other leave taken up to 52 weeks is without pay.

For adoption of primary age children (5-11)

Pay during the leave period – 2 weeks full pay (offset against payments made by way of SAP), 4 weeks at 9/10 pay (offset against SAP) 6 weeks at half pay plus SAP (combined half pay and SAP must not exceed full pay) and 27 weeks SAP.

Any other leave taken up to 52 weeks is without pay

For adoption of secondary age children (11-18)

Pay during the leave period –2 weeks full pay (offset against payments made by way of SAP), 1 week at 9/10 pay (offset against SAP) 3 weeks at half pay plus SAP (combined half pay and SAP must not exceed full pay) and 33 weeks SAP.

Any other leave taken up to 52 weeks is without pay.

An employee is required to notify the school and Schools HR within seven days after the date on which they are notified of having being matched with the child the date on which the child is expected to be placed and the date they intend to begin their leave. An employee can change their mind about when they want their leave to start as long as they provide at least 28 days notice before the original date or the new date they want their leave to start, whichever is later.

Schools HR will write to the employee within 28 days of receipt of the notification to confirm the maximum entitlement to adoption leave and pay including a projected date of return to work.

Employers may make reasonable contact with an employee on adoption leave for a number of reasons, such as to discuss arrangements for their return to work.

Employees may undertake up to ten “keeping in touch days” during their adoption leave. This allows work under their contract of employment and will be paid. Any work undertaken is a matter for agreement between the two parties.

Employees have a right to return to the same job after adoption leave.

Should an employee wish to return to work before the end of the maximum entitlement they are required to give 21 days notice. Failure to provide 21 days notice may result in your early return date being postponed for up to 21 days from the date the notification is received.

FOSTERING LEAVE

Providing that you have seven months continuous service you will be entitled to apply for up to a maximum of 5 days leave at half pay and 5 days unpaid leave in any 12 month period. Applications should be made on a leave of absence form and verification will be required in the form of a letter from the appropriate authorities. As with adoption leave these provisions can be shared if both partners work for the Authority.

PARENTAL AND MATERNITY SUPPORT LEAVE

The provisions of the parental & maternity support leave scheme also apply to the adoption leave scheme. With reference to adoption, the “date of childbirth” in the scheme would be replaced with the “date of official placement” or in the case of overseas adoption the “date the child enters Great Britain”.

Leave taken under this scheme must be taken within 18 years of the official date of placement or before the child’s 18th birthday (whichever occurs first).

Paternity leave

The principles of the statutory paternity leave and pay provisions also apply to adoptive parents (including keeping in touch days). Paternity leave is available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take paternity leave where the other adoptive parent has elected to take adoption leave. The employee must have 26 weeks' continuous service by the week in which the child’s adopter is notified of having been matched with the child for adoption.

In the case of an adopted child, the employee must give written notice of his/her intention to take paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed

for adoption, the date the employee intends to start ordinary paternity leave, the length of the intended ordinary paternity leave period and the date on which the adopter was notified of having been matched with the child. Employees are required to complete the Notification and Self-Certification for Paternity Leave and Pay Form A1 or A1 (overseas) to request paternity leave and pay (see PLP A1 or PLP A1 (overseas)).

SHARED PARENTAL LEAVE

1.WHAT IS SHARED PARENTAL LEAVE?

Shared Parental Leave (SPL) enables eligible mothers, fathers, partners and adopters to choose how to share time off work after their child is born or placed for adoption on or after 5 April 2015. It is designed to give parents more flexibility in how to share the care of their child in the first year following birth or adoption. Parents will be able to share a pot of leave, and can decide to be off work at the same time and/or take it in turns to have a maximum of 3 blocks of leave to look after their child.

Qualifying mothers and adopters continue to be entitled to Maternity and Adoption rights. Employees can start Shared Parental Leave if they are eligible and they (or their partner) end their maternity or adoption leave and pay early. If a woman decides to end her maternity leave early in favour of SPL she loses any remaining entitlement to occupational maternity pay, she would only be eligible for Statutory Shared parental pay.

Two weeks of paid Paternity Leave continues to be available to qualifying fathers and the partner of a mother or adopter. This policy is separate to unpaid parental leave, however it replaces Additional Paternity Leave entitlement.

ELIGIBILITY REQUIREMENTS

If an employee is eligible and they or their partner end maternity or adoption leave and pay early, then they can:

- take the rest of the 52 weeks of leave (up to a maximum of 50 weeks as the mother is required to take a minimum of 2 weeks maternity leave immediately following the birth) as Shared Parental Leave (SPL)
- take the rest of the 39 weeks of pay (up to a maximum of 37 weeks) as Statutory Shared Parental Pay (ShPP)

ShPP is paid at a standard rate per week, or 90% of an employee's average weekly earnings, whichever is lower.

Sometimes only one parent in a couple will be eligible to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP). This means that they will not be able to share the leave. Set out below are the requirements which need to be satisfied by each partner in order to access SPL and ShPP.

To qualify for SPL, the child's mother (or adoptive parent) must be eligible for either:

- maternity leave or pay; or
- maternity allowance; or
- adoption leave or pay.

Where two people have been matched jointly to a child, under arrangements for adoption, the adopter for the purpose of the shared parental leave scheme is the person who elected to take statutory adoption leave.

An employee seeking to take SPL must also:

- have worked for the School continuously for at least 26 weeks by the end of the 15th week before the due date (or date they are matched with their adopted child)
- still be employed by the School while they take SPL
- give the School the correct notice; and
- give a declaration that their partner meets the employment and income requirements which allow the School's employee to receive SPL:
 - their partner has worked 26 weeks in the 66 weeks leading up to the due date; and
 - has earned above the maternity allowance threshold of £30 a week in 13 of the 66 weeks.

STATUTORY SHARED PARENTAL PAY

An employee can get ShPP if one of the following applies:

- they qualify for Statutory Maternity Pay; or
- they qualify for Statutory Paternity Pay and have a partner who qualifies for Statutory Maternity Pay or Maternity Allowance or Statutory Adoption Pay

and they have average weekly earnings in the 8 weeks ending with the relevant week of not less than the lower earnings threshold applicable in that week. The "relevant week" is defined as the 15th week before the EWC or the week that the adopter has been informed that they have been matched with the child.

HOW TO START SHARED PARENTAL LEAVE

For Shared Parental Leave (SPL) to start, the mother or adopter must do one of the following:

- end their maternity or adoption leave early by giving at least 21 days' notice and returning to work;

- give the School at least 8 weeks' 'binding notice' (a decision that cannot normally be changed) of the date when they will end (or "curtail") their maternity or adoption leave; or
- end maternity pay or Maternity Allowance (if they are not entitled to maternity leave, eg they are an agency worker or self-employed)

The mother must give the School notice to end her maternity pay, or Job Centre Plus to end her Maternity Allowance. Adopters must give the School notice to end adoption pay.

The amount of SPL (with statutory parental pay, if appropriate) which can be taken by the mother's or adopter's partner will be the balance of leave in relation to which the mother or adopter has given binding notice to the School.

SHARED PARENTAL LEAVE APPLICATION PROCESS

An employee must give at least 8 weeks' notice of any leave they wish to take. If the child is born more than 8 weeks early, this notice period can be shorter.

The employee must give the School written notice of their entitlement to SPL and ShPP, including:

- their partner's name
- maternity leave start and end dates, or start and end dates of the period of statutory adoption leave taken or to be taken
- the total amount of SPL and ShPP available and how much they and their partner intend to take
- that they are sharing childcare responsibility with their partner

It must also include a signed declaration from the partner stating:

- their name, address and National Insurance number
- that they satisfy the qualifying requirements for the School's employee to take SPL and ShPP
- that they agree to the School's employee taking SPL and ShPP

This information must be provided by completing the School's Notification of Shared Parental Leave Form (SPL1 or SPL5). The mother's or adopter's partner must complete SPL2 or SPL6.

Where the School's employee is the mother's partner or the partner of the adopter, they are required to complete and return SPL3 or SPL7. The mother or adopter must complete SPL4 or SPL8.

After receiving this notice, the authority will (within 14 days of receiving the request for SPL and ShPP) ask for:

- a copy of the child's birth certificate, or, in relation to adoption, evidence (in the form of one or more documents from the adoption agency) of the name and address of the adoption agency, the date the adopter was notified of being matched and the date the agency expect to place the child with the adopter.
- the name and address of their partner's employer

On receiving the request from the School, an employee then has 14 days to provide the information.

HR will then write to the employee to confirm the shared parental leave start and end dates and entitlements to pay within 28 days.

CANCELLING THE DECISION TO END MATERNITY OR ADOPTION LEAVE

The mother or adopter may be able to change their decision to end maternity or adoption leave early if both:

- the planned end date has not passed; and
- they have not already returned to work

ONE OF THE FOLLOWING MUST ALSO APPLY:

- it is discovered during the 8-week notice period that neither partner is eligible for either SPL or ShPP;
- the employee's partner has died; or
- it is less than 6 weeks after the birth (and the mother gave notice before the birth)

SHARED PARENTAL LEAVE IN TOUCH (SPLIT) DAYS

An employee can work up to 20 days during SPL without bringing it to an end. These are called 'shared parental leave in touch' (or SPLIT) days.

These days are in addition to the 10 'keeping in touch' (or KIT) days already available to those on maternity or adoption leave.

Keeping in touch days are optional and will be agreed between the employee and the School. (See SPL9).

SPLITTING BLOCKS OF LEAVE

An employee taking Shared Parental Leave (SPL) can split their leave into up to 3 separate blocks instead of taking it all in one go, even if they are not sharing the leave with their partner.

The School will consider an employee's request to split a block of leave into shorter periods of at least a week.

ADMINISTRATION OF THE SCHEME

Attached to this policy as Appendices are pro forma:

- SPL1 - Notification by mother of shared parental leave (Ealing School employee)
- SPL2 - Declaration by father or partner (not Ealing School employee)
- SPL3 - Notification by father/partner of shared parental leave (Ealing School employee)
- SPL4 - Declaration by mother (not Ealing School employee)
- SPL5 - Notification by adopter of shared parental leave (Ealing School employee)
- SPL6 – Declaration by partner of adopter (not Ealing School employee)
- SPL7 – Notification by partner of adopter of shared parental leave (Ealing School employee)
- SPL8 – Declaration by adopter (not Ealing School)
- SPL9 – Work/shared parental leave in touch payments

MATERNITY LEAVE FORM OF INTENTION

Schools Human Resources
Schools HR Operations Team
5th Floor, Perceval House
14-16 Uxbridge Road
Ealing W5 2HL

I (name)
.....

Of (Address)
.....
.....

Employed at School

have received and read the maternity/parenting leave conditions for teachers employed by the London Borough of Ealing.

I wish to select the following arrangements:-

PART A

EMPLOYEES WITH AT LEAST 7 MONTHS CONTINUOUS LOCAL EDUCATION AUTHORITY SERVICE AS A TEACHER

Tick box as required

- (a) **EMPLOYEES WITH AT LEAST 7 MONTHS CONTINUOUS LOCAL EDUCATION AUTHORITY SERVICE AS A TEACHER INTENDING TO RETURN TO WORK**

I intend to return to duty with the Authority at the school stated above. I understand that I must return to work no later than 52 weeks after the Sunday before the week of childbirth. To secure half pay I must return to work on my contracted hours for a period of 13 weeks immediately after the expiration of my maternity leave. If I change my hours of work, i.e. full time to part time, I understand that this period will be longer. If I do not return to work for this period I will be expected to repay the half pay due to me. I therefore request the payment of 4 weeks at full pay, 2 weeks at 9/10 of pay and 12 weeks* at half pay due to me.

*Staff with twelve months continuous service with the London Borough of Ealing will qualify for an extra 6 weeks half pay, making a total of 18 weeks half pay.

- (b) **EMPLOYEES WITH AT LEAST 7 MONTHS CONTINUOUS LOCAL EDUCATION AUTHORITY SERVICE AS A TEACHER INTENDING TO RETURN TO WORK BUT REQUESTING**

DEFERMENT OF HALF PAY (IN CASE OF ACTUAL NON RETURN TO WORK)

At present I intend to return to duty with the Authority at the school stated above. I understand that in order to safeguard my right to return to work I must return no later than 52 weeks after the Sunday before the week of childbirth. As I am not entirely sure that I am returning I would, however, request that I be paid only the four weeks full pay and two weeks at 9/10 of pay to which I am entitled if I do not return to work. I therefore wish payment of half pay (to which I am entitled if I return to work for a period of at least 13 weeks) to be deferred until I actually return to work. I understand that upon completion of 13 weeks contracted service immediately after the expiration of my maternity leave, I will be paid the half pay due to me.

- (c) **EMPLOYEES WITH AT LEAST 7 MONTHS CONTINUOUS LOCAL EDUCATION AUTHORITY SERVICE AS A TEACHER NOT WISHING TO RETURN TO WORK**

I have completed seven months Local Government service at the time I wish to absent myself from work and I do not intend to return to duty. Therefore I request the payment of 4 weeks at full pay, two weeks at 9/10 of pay.

I understand that only if I select (a) or (b) will my post be kept open for me until the end of my maternity leave.

PART B

EMPLOYEES WITH LESS THAN 7 MONTHS CONTINUOUS LOCAL EDUCATION AUTHORITY SERVICE AS A TEACHER

Tick box as required

- (a) **EMPLOYEES WITH LESS THAN 7 MONTHS CONTINUOUS LOCAL EDUCATION AUTHORITY SERVICE AS A TEACHER INTENDING TO RETURN TO WORK**
- (c) **EMPLOYEES WITH AT LESS THAN 7 MONTHS CONTINUOUS LOCAL EDUCATION AUTHORITY SERVICE AS A TEACHER NOT WISHING TO RETURN TO WORK**

I wish to commence my leave on and attach a copy of a certificate indicating the expected week of childbirth.

Signed Date

**NOTIFICATION OF SHARED PARENTAL LEAVE BY EMPLOYEE OF
EALING SCHOOL (CHILD'S MOTHER)
FORM SPL1**

| |
|--|
| Name: |
| Job title: |
| Section/department: |
| Employee number: |
| Address: |
| Home/mobile telephone number: |
| Name of partner: |
| The start date of my maternity leave: |
| The end date of my maternity leave: |
| The total amount of Shared Parental Leave (SPL) available is: |
| The expected week of childbirth/actual date of birth is: |
| The amount of SPL I intend to take is: |
| Dates: |
| The amount of SPL my partner intends to take is: |
| Dates: |
| <p>I have agreed with my line manager to take.....days annual leave</p> <ul style="list-style-type: none"> • Immediately following the completion of my period of shared parental leave Or • On the following days during the period of my shared parental leave..... |
| <p>I declare that:</p> <ul style="list-style-type: none"> • I have been employed by Ealing School for 26 weeks by the end of the 15th week before the baby's due date; • I will have the main caring responsibility for the baby (along with my partner/the child's father), and will inform Ealing School immediately if this changes; • I am entitled to statutory maternity leave; • I am giving 21 days' notice of returning to work before my maternity leave has ended or am giving (at least) 8 weeks' binding notice to curtail my maternity leave ; • If curtailing my maternity leave, I am giving (at least) 8 weeks' notice to curtail my maternity pay; • The information I have given is accurate. |
| I consent to Ealing School using the information contained in this form to process this request for shared parental leave and pay. |
| Signed: |
| Date: |

**DECLARATION BY FATHER OR PARTNER
FORM SPL2**

| |
|---|
| Name: |
| Address: |
| National Insurance Number: Or <ul style="list-style-type: none">• I declare that I do not have a National insurance Number.....(please tick if this applies) |
| Name of mother: |
| I confirm that <ul style="list-style-type: none">• I have worked for 26 weeks out of 66 weeks up to the expected week of childbirth and I have earned at least the value of the maternity allowance in 13 of these weeks;• I am the father of the child, or the mother's partner, civil partner or spouse (please delete as applicable);• I have the main caring responsibility for the baby (along with the mother);• I consent to the mother taking the amount of leave she has set out in the notice that she gave Ealing School;• I consent to Ealing School processing the information about me included in this declaration. |
| Signed: Date: |

**NOTIFICATION OF SHARED PARENTAL LEAVE BY EMPLOYEE OF
EALING SCHOOL (CHILD'S FATHER/MOTHER'S PARTNER)
FORM SPL3**

| |
|--|
| Name: |
| Job title: |
| Section/department: |
| Employee number: |
| Address: |
| Home/mobile telephone number: |
| Name of mother: |
| The start date of mother's maternity leave: |
| The end date of mother's maternity leave: |
| The total amount of Shared Parental Leave (SPL) available is: |
| The expected week of childbirth/actual date of birth is: |
| The amount of SPL I intend to take is: |
| Dates: |
| The amount of SPL my partner intends to take is: |
| Dates: |
| <p>I have agreed with my line manager to take.....days annual leave</p> <ul style="list-style-type: none"> • Immediately following the completion of my period of shared parental leave Or • On the following days during the period of my shared parental leave..... |
| <p>I declare that:</p> <ul style="list-style-type: none"> • I have been employed by Ealing School for 26 weeks by the end of the 15th week before the baby's due date; • I will have the main caring responsibility for the baby (along with my partner/the child's mother), and will inform Ealing School immediately if this changes; • I am the father of the child or spouse, civil partner or partner of the mother (please delete as applicable) • I will inform Ealing School if the mother revokes her leave curtailment notice • The information I have given is accurate. |
| I consent to Ealing School using the information contained in this form to process this request for shared parental leave and pay. |
| Signed: |
| Date: |

**DECLARATION BY MOTHER
FORM SPL4**

| |
|---|
| Name: |
| Address: |
| National Insurance Number: Or <ul style="list-style-type: none">• I declare that I do not have a National insurance Number.....(please tick if this applies) |
| Name of mother: |
| I confirm that <ul style="list-style-type: none">• I have worked for 26 weeks out of 66 weeks up to the expected week of childbirth and I have earned at least the value of the maternity allowance in 13 of these weeks;• I am entitled to statutory maternity leave, statutory maternity pay or maternity allowance;• I will have the main caring responsibility for the baby (along with the baby's father/my partner);• I have ended my maternity leave by returning to work or curtailing that leave or curtailed my statutory maternity pay or maternity allowance;• I will inform my partner/the baby's father immediately if I revoke my curtailment of maternity leave/pay/allowance;• I consent to my partner/the baby's father taking the amount of leave set out in the notice given to Ealing School;• I consent to Ealing School processing the information about me included in this declaration. |
| Signed: |
| Date: |

**NOTIFICATION OF SHARED PARENTAL LEAVE BY EMPLOYEE OF
EALING SCHOOL (ADOPTION)
FORM SPL5**

| |
|--|
| Name: |
| Job title: |
| Section/department: |
| Employee number: |
| Address: |
| Home/mobile telephone number: |
| Name of partner: |
| The date I was notified by the adoption agency of being matched with my child: |
| The expected date of placement of the child (or the actual date of placement if the child has already joined the family): |
| The start date of my adoption leave: |
| The end date of my adoption leave: |
| The total amount of Shared Parental Leave (SPL) available is: |
| The amount of SPL I intend to take is: |
| Dates: |
| The amount of SPL my partner intends to take is: |
| Dates: |
| <p>I have agreed with my line manager to take.....days annual leave</p> <ul style="list-style-type: none"> • Immediately following the completion of my period of shared parental leave Or • On the following days during the period of my shared parental leave..... |
| <p>I declare that:</p> <ul style="list-style-type: none"> • I have been employed by Ealing School for 26 weeks by the point of being matched with my child; • I will have the main caring responsibility for the child (along with my partner), and will inform Ealing School immediately if this changes; • I am entitled to statutory adoption leave; • I have returned to work before my adoption leave has ended/am committing to ending my adoption leave early (delete as applicable); • The information I have given is accurate. |
| I consent to Ealing School using the information contained in this form to process this request for shared parental leave and pay. |
| Signed: |
| Date: |

**DECLARATION BY PARTNER (ADOPTION)
FORM SPL6**

| |
|--|
| Name: |
| Address: |
| National Insurance Number: Or <ul style="list-style-type: none">• I declare that I do not have a National insurance Number.....(please tick if this applies) |
| Name of mother: |
| I confirm that <ul style="list-style-type: none">• I have worked for 26 weeks out of 66 weeks up to the placement date and I have earned at least the value of the maternity allowance in 13 of these weeks;• I am the adopter's partner, civil partner or spouse (delete as applicable);• I have the main caring responsibility for the child (along with the adopter);• I consent to the adopter taking the amount of leave set out in the adopter's notice to Ealing School confirming their entitlement to, and intention to take, shared parental leave;• I consent to Ealing School processing the information about me included in this declaration. |
| Signed: Date: |

**NOTIFICATION OF SHARED PARENTAL LEAVE BY EMPLOYEE OF
EALING SCHOOL (ADOPTER'S PARTNER)
FORM SPL7**

| |
|--|
| Name: |
| Job title: |
| Section/department: |
| Employee number: |
| Address: |
| Home/mobile telephone number: |
| Name of partner (adopter) |
| Date that the adopter was matched with the child: |
| The start date of the adopter's adoption leave:..... The end date of the adopter's adoption leave:..... OR, If the adopter is not entitled to adoption leave, the amount of statutory adoption pay received or to be received:..... |
| The total amount of Shared Parental Leave (SPL) available is: |
| The expected placement date of the child (or the actual placement date if the child has already joined the family): |
| The amount of SPL I intend to take is: |
| Dates: |
| The amount of SPL my partner intends to take is: |
| Dates: |
| I have agreed with my line manager to take.....days annual leave <ul style="list-style-type: none"> • Immediately following the completion of my period of shared parental leave Or • On the following days during the period of my shared parental leave..... |
| I declare that: <ul style="list-style-type: none"> • I am the partner, civil partner or spouse of the adopter; • I have been employed by Ealing School for 26 weeks by the point of the child being matched with the family; • I will have the main caring responsibility for the child (along with the adopter) and will inform Ealing School immediately if this changes; • I will inform Ealing School immediately if the adopter revokes their curtailment of adoption leave or pay; • The information I have given is accurate. |
| I consent to Ealing School using the information contained in this form to process this request for shared parental leave and pay. |
| Signed: |
| Date: |

**DECLARATION BY ADOPTER
FORM SPL8**

| |
|---|
| Name: |
| Address: |
| National Insurance Number: Or <ul style="list-style-type: none">• I declare that I do not have a National Insurance Number.....(please tick if this applies) |
| Name of mother: |
| I confirm that <ul style="list-style-type: none">• I have worked for 26 weeks out of 66 weeks by the point of the child being matched with the family and I have earned at least the value of the maternity allowance in 13 of these weeks;• I have the main caring responsibility for the child (along with my partner);• I am entitled to statutory adoption leave or statutory adoption pay;• I have ended my adoption leave/pay by returning to work or curtailing that leave or statutory adoption pay;• I will inform my partner immediately if I revoke my curtailment of leave/pay;• I consent to my partner taking the amount of leave she has set out in the notice that she gave Ealing School;• I consent to Ealing School processing the information about me included in this declaration. |
| Signed: |
| Date: |

TO BE SUBMITTED TO PAYROLL ON A MONTHLY BASIS

WORK/SHARED PARENTAL LEAVE IN TOUCH (SPLIT) PAYMENTS
FORM
(FORM SPL9)

| | |
|----------------|----------------|
| Employee Name: | Job title: |
| Employee No: | Place of work: |
| Contact No: | Manager/Head: |

The above employee has worked the following SPLIT days;

| Date | Activity i.e. training, team meeting, project work. | Half Day/ Full Day* |
|------|---|------------------------|
| | | |
| | | |
| | | |
| | | |

*Half a day worked or less = half a days pay. More than half a day worked = full days pay

The total number of days to be paid are: _____

Managers/Head teacher Signature _____ Date _____
 I confirm the above details are correct.

For Payroll use only:

| <i>Mth/Yr paid</i> | <i>Code</i> | <i>Amount</i> | <i>Processed by:</i> | <i>Authorised by:</i> |
|--------------------|-------------|---------------|----------------------|-----------------------|
| | | | | |

**Notification and self-certification to request 2 weeks paid paternity leave
and pay
Form PLP1**

| |
|--|
| (Please refer to the maternity/parenting policy before completing this form) |
| Name of employee: |
| Employee number: |
| Job title: |
| Section/Department |
| Date of commencement of employment: |
| I confirm that my wife, partner* or civil partner gave birth to a child, or I am the biological father of the child, and I give notice of my intention to take ordinary paternity leave, and to receive ordinary statutory paternity pay, in respect of that child as follows: |
| The expected week of childbirth is: (If the baby has already been born, give the date that the baby was due and the actual date of birth) |
| I wish to start my ordinary paternity leave on: |
| I wish to end my ordinary paternity leave on: |
| In addition, I confirm that (please tick each box): |
| I have, or expect to have, responsibility for the upbringing of the child |
| The purpose of the period of my ordinary paternity leave will be to help care for the child or to support the child's mother |
| I am eligible to receive ordinary statutory paternity pay (26 weeks continuous service by the end of the 15 th week before the week in which the child is expected) |
| I will forward a copy of the child's birth certificate once born |
| Signed: |
| Dated: |
| Notes To qualify for ordinary paternity leave and pay please return this form to the HRSSC not less than fifteen weeks before the baby is due. |

Ordinary paternity leave must be taken in a single block of one or two weeks within eight weeks of the child's birth.

Please note that you may lose your entitlement to ordinary paternity pay if you leave the School's employment prior to the birth.

*Definition of 'partner': living with the mother in an enduring family relationship but not an immediate relative.

**NOTIFICATION OF ADOPTION LEAVE FORM
(FORM ADOP1)**

Name _____

Address _____

Home / Mobile Tel No _____

Job Title _____

Location/Department/School _____

Employee Number _____

I have received and read the London Borough of Ealing Adoption Guidance.

Adoption Leave

Expected Date of placement* _____
(*Must be substantiated by an adoption matching certificate from the adoption agency).

I wish to commence my adoption leave on _____. I also attach a copy of the matching certificate.

If you wish to change the above date please ensure you provide 28 days written notice to your manager/Headteacher and HR before the commencement date.

Annual Leave Arrangements (if applicable)

I have agreed with my line manager to take _____ days annual leave immediately prior to the commencement of my adoption leave.

Immediately following my adoption leave I have also agreed to take _____ days annual leave.

Adoption Pay

You must have either:

at least 30 weeks continuous service in local government at the date of application for adoption leave and be the principal; carer of the adopted child

or
been continuously employed by Ealing School for a period of not less than 26 weeks ending with the week they are notified of having been matched with the child

Please indicate which entitlement refers to you:

Group A

Child under the age of one year

- **For the first six weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next twelve weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next twenty-one weeks** – twenty-one weeks SAP.

Please tick one of the three boxes below;

I understand I will receive the above entitlements and will be returning to work

I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.

I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

Group B

Child over the age of one and under 5 years

- **For the first six weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next ten weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next twenty-three weeks** – twenty-three weeks SAP.

Please tick one of the three boxes below;

I understand I will receive the above entitlements and will be returning

to work

I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.

I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

Group C

Child over the age of 5 and under 11 years

Please tick one of the three boxes below;

- **For the first six weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next six weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next twenty-seven weeks** – twenty-seven weeks SAP.

Please tick one of the three boxes below;

I understand I will receive the above entitlements and will be returning to work

I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.

I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

Group D

Child over 11 years

- **For the first three weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next three weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next thirty-three weeks** – Thirty-three weeks SAP.

Please tick one of the three boxes below;

- I understand I will receive the above entitlements and will be returning to work
- I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.
- I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

I understand the following;

- Only if I select that I intend to return to work following adoption leave will my post be kept open for me until the end of the adoption leave.
- If I do not return to work following adoption leave for at least 3 months (or equivalent if returning part time) I will be required to refund the occupational adoption pay to Ealing. I will not be required to refund any SAP payments.
- That my adoption payments are subject to tax, national insurance and any other voluntary deductions (i.e pension, trade union membership fees etc).

Employee's Signature _____

Date _____

I confirm the above details are correct.

Managers/Head teacher Signature _____

Date _____

I confirm the above details are correct

Adoption (UK)
Notification and self certification form to request paid paternity leave
and pay
Form PLP A1

(please refer to the maternity/parenting policy before completing this form)

Name of employee:

Employee number:

Job title:

Section/Department

Date of commencement of employment:

I confirm that my wife, husband, partner* or civil partner has been matched with a child for adoption or, my wife, husband, partner or civil partner and I are jointly adopting a child and have been matched with a child for adoption; and I give notice of my intention to take paternity leave, and to receive statutory paternity pay in respect of that child as follows:

The name and address of the adoption agency:

The date on which we were notified of having been matched with the child was:

The date given by the adoption agency that it expects to place the child for adoption is:

The date on which the child was placed was:

I wish to start my paternity leave on:

I wish to end my paternity leave on:

In addition, I confirm that (please tick each box):

I am adopting a child from within the UK and will have responsibility for the child's upbringing, or I am married to, the partner or the civil partner of the person who is adopting the child and I have the main responsibility (apart from the adopter) for the child's upbringing:

The purpose of the period of my paternity leave will be to care for the child or support the person adopting the child

I am eligible to receive paternity pay

(26 weeks continuous service up to and including the week that the person adopting the child is told that they have been matched with the child)

If adopting a child jointly with you partner please tick this box to confirm that you have chosen not to receive Statutory Adoption Pay and adoption leave

Signed

Dated:

Notes To qualify for paternity leave and pay please return this form to the HRSSC no later than seven days after the date on which notification of the match with the child was given by the adoption agency.

Ordinary paternity leave must be taken in a single block of one or two weeks within eight weeks of the child's birth.

You must remain employed by the School from the week you are told by the adoption agency that you or your wife, husband, partner or civil partner has been matched with the child until the child is placed with you.

*Definition of 'partner': living with the mother in an enduring family relationship but not an immediate relative.

Adoption (overseas)
Notification and self certification form to request paid paternity leave
and pay
Form PLP A1 (overseas)

(please refer to the maternity/parenting policy before completing this form)

Name of employee:

Employee number:

Job title:

Section/Department

Date of commencement of employment:

I confirm that my wife, husband, partner or civil partner is adopting a child from overseas, or my wife, husband, partner or civil partner and I are jointly adopting a child from overseas and I give notice of my intention to take paternity leave and to receive statutory paternity pay in respect of the child as follows:

The date on which the official notification was received was:

The date the child is expected to enter Great Britain is:

The date of the child's entry into Great Britain was:

I wish to start my paternity leave on:

I wish to end my paternity leave on:

In addition, I confirm that (please tick each box):

I am adopting a child from overseas and I will be responsible for the child's upbringing, or I am married to, the partner or the civil partner who elected to take adoption leave; and have, or expect to have, the main responsibility (apart from the adopter), for the upbringing of the child

The purpose of the period of my paternity leave will be to care for the child or support the person adopting the child

I have enclosed a copy of the official notification relating to the child and evidence of the date on which the child entered Great Britain.

I am eligible to receive paternity pay

(26 weeks continuous service up to and including the week the child enters the UK)

If adopting a child from abroad jointly with your partner please tick this box to confirm that you have chosen not to receive Statutory Adoption Pay and adoption leave.

Signed

Dated:

Notes To qualify for paternity leave and pay please return this form to the HRSSC no later than twenty-eight days after the date on which official notification was received.

Ordinary paternity leave must be taken in a single block of one or two weeks within eight weeks of the child's birth.

If you completed your 26 weeks continuous employment before the week the child enters the UK, you must continue to work for the School up to the date the child enters the UK. Definition of 'partner': living with the mother in an enduring family relationship but not an immediate relative.