



Wixams Academy and Wixams Tree Primary Academy Family Policy

RESPONSIBLE DIRECTOR
Chief Executive Officer

RATIFIED BY TRUST
January 2023

REVIEW DATE
September 2024

Contents

Introduction	3
Maternity Policy	3
Paternity Leave Policy	11
Adoption Leave Policy	12
Shared Parental Leave Policy	15
Parental Leave Policy	17
Flexible Working Policy	18
Parental Bereavement Leave Policy	18

Introduction

This document summarises the various policies adopted by the Trust to support employees who are starting or have a family. These are policies cover all teaching and support staff employed by the Trust. In some case length of service qualifications apply and these are set out in each policy. The policies covered here are:

- Maternity Leave
- Paternity Leave
- Adoption Leave
- Shared Parental Leave
- Parental Leave
- Flexible Working
- Bereavement Leave

Personnel responsible for implementing the policies

The Board of the Trust has overall responsibility for the effective operation of these policies and for ensuring compliance with the relevant statutory framework. Headteachers have a specific responsibility to ensure the fair application of these policies and all members of staff are responsible for supporting colleagues and ensuring their success. The HR team advise on implementation..

Maternity Policy

Policy statement:

- 1 The purpose of maternity leave is to allow employees to give birth and to recover from giving birth to their baby, as well as to bond with and care for their new child
- 2 All pregnant employees are entitled to 52 weeks' maternity leave, or as much of that as they wish to take, regardless of their length of service.
- 3 Maternity leave is a single continuous period, made up of 26 weeks' Ordinary Maternity Leave and 26 weeks' Additional Maternity Leave. The latter follows the former and there must be no gap between the two.
- 4 Every effort is made to encourage women to return to work from maternity leave. This policy applies to all employees, full-time and part-time.
- 5 This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth, and sets out the arrangements for ante-natal care, pregnancy-related sickness, health and safety, and maternity leave.

- 6 This policy does not form part of any employee's contract of employment and may be amended from time to time.

Definitions

- 7 For the purpose of clarity, the following definitions may be useful:
 - Expected Week of Childbirth: the week, starting on a Sunday, in which your doctor or midwife expects you to give birth
 - Qualifying Week: the fifteenth week before the Expected Week of Childbirth

Statutory Benefits

- 8 A pregnant member of staff is entitled to at least 52 weeks statutory Maternity Leave regardless of length of service. The right to return to your former job or an equivalent employment applies after a period of Maternity Leave.
- 9 A pregnant member of staff is entitled to receive Statutory Maternity Pay (SMP) provided that:
 - her average weekly earnings equal or exceed the lower earnings limit for national insurance contributions in the eight weeks to the 'qualifying week' which is the 15th week before the week of expected birth.
 - she has at least twenty-six weeks continuous employment ending with the 'qualifying week'.
- 10 If she does not qualify for SMP (which is paid through the School) she may be entitled to claim Maternity Allowance (MA) from the Benefits Agency.
- 11 SMP and MA are only payable when a member of staff is absent from work. The first six weeks of SMP entitlement are at the rate of 90% of average weekly earnings, the following 33 weeks at a prescribed flat rate of benefit and the remaining 13 weeks are unpaid. MA is paid throughout as a flat rate benefit. For an employee with less than 12 months service this is the full entitlement to maternity pay available from the Trust.

Enhanced Maternity Pay for Employees

- 12 The Trust policy allows employees to receive maternity pay greater than the statutory amount subject to length of service qualifications. Employees who have more than one year of service at the start of their qualifying week (defined as the Sunday) will usually be entitled to receive enhanced maternity pay.

The enhanced maternity pay (EMP) entitlement is as follows:

<p>For those with less than one year (12 months) of service at the start of their qualifying week</p>	<p>No enhanced maternity pay is available. The employee will receive the first six week's pay at 90% of their full rate plus up to</p> <p>33 weeks at the current rate of SMP (£156.66 per week)</p> <p>13 weeks unpaid, up to the notified date of return – this is treated as absence without pay.</p>
<p>For those with less than one year (12 months) of service at the start of their qualifying week</p>	<p>First six weeks - full pay (100%) including SMP.</p> <p>Next 14 weeks – 60% of normal pay including SMP</p> <p>19 weeks Statutory Maternity Pay</p> <p>13 weeks unpaid, up to the notified date of return – this is treated as absence without pay</p>

13 At no time shall an employee receive less than an amount equivalent to that to which she is entitled under the statutory provisions.

Conditions Governing Enhanced Maternity Pay for Employees

14 In addition to the service qualification, the payment of salary to the employee in accordance with the above provisions shall be made on condition that she will be available for full-time, or equivalent part-time, duty for a period of at least thirteen weeks from the date of return to her job. In the event of her not being available she shall refund amounts paid which are not part of her statutory entitlement, or a lesser amount which the Trust Directors at their discretion may decide. If you are in doubt about your ability to return to work then you can elect to be paid the enhanced maternity pay as a lump sum on the date of your return.

15 The requirement to return to duty for at least thirteen weeks may be reduced at the discretion of the Trust Directors in exceptional circumstances.

16 Following a return to work, the normal provisions for termination upon notice shall apply.

17 The period of thirteen weeks (inclusive of School holidays and dates of School closure) shall run from the date on which the Employee returns to duty or the date during the School holiday on which, having been declared medically fit, she is deemed to be available for duty.

18 An employee shall be regarded as having fulfilled the conditions of these maternity provisions if, having obtained prior approval from the Trust to return to work on a part-time basis, she completes such a period of part-time service which, when equated to full-time service, is equivalent to thirteen weeks' full-time duty.

Time off for antenatal care

19 Reasonable time off will be allowed for ante-natal care. Whenever possible, appointments should be made at the start or end of the working day. You may be required to produce an appointment card or some other document confirming all appointments other than the first.

20 There will be no deduction from your salary for attendance at authorised antenatal appointments, including any time spent travelling to and waiting for the appointment.

21 Absence because of pregnancy.

Pregnancy and baby loss

22 Where an employee has a miscarriage, ectopic pregnancy or termination before 24 weeks into their pregnancy, there are no entitlements to maternity leave, EMP or SMP. The employee may, however, be entitled to contractual sick pay and / or statutory sick pay.

23 Where an employee has a stillbirth from 24 weeks of pregnancy onwards, or the baby only survives for a short period of time after birth, full maternity leave and maternity pay, in line with the entitlement in paragraph 12 above, will be retained, irrespective of the timing of the birth.

24 Employee can access counselling and support via the Employee Assistance Programme, and may also wish to access support from various baby loss organisations, such as:

- Sands: www.sands.org.uk/
- Bliss: www.bliss.org.uk/
- The Ectopic Pregnancy Trust: www.ectopic.org.uk/
- The Lullaby Trust: www.lullabytrust.org.uk/
- The Miscarriage Association: www.miscarriageassociation.org.uk/
- Tommy's: www.tommys.org/

Sickness absence during pregnancy

25 Periods of pregnancy-related sickness absence shall be paid in accordance with our Sickness Absence Policy and Procedure in the same manner as any other sickness absence. Any payment of sick pay in excess of the limits set

out in the Sickness Absence Policy and Procedure as a result of pregnancy-related sickness shall be entirely at our discretion.

- 26 Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions.
- 27 If you are absent for a pregnancy-related reason during the four weeks before your Expected Week of Childbirth, your maternity leave will usually start automatically.

Health and safety

- 28 We have a general duty to take care of the health and safety of all employees. We are also required to carry out a risk assessment to assess the workplace risks to women who are pregnant, have given birth within the last 6 months or are still breastfeeding. We will provide you with information as to any risks identified in the risk assessment, and any preventive and protective measures that have been or will be taken. If we consider that, as a new or expectant mother, you would be exposed to health hazards in carrying out your normal work we may need to take such steps as are necessary to avoid those risks such as changing your working conditions or hours of work or offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable; or suspending you from duties, which will be on full pay unless you have unreasonably refused suitable alternative work.

Notifying your line manager

- 29 You are legally required to inform your line manager or Head of Department that you are pregnant at least 15 weeks prior to the Expected Week of Childbirth. However, we encourage employees to inform their line manager that they are pregnant as soon as reasonably practical and when you are comfortable to do so, to enable us to carry out a risk assessment and support you during your pregnancy. Either the employee or the line manager or the Head of Department should notify the school's Business and Finance Manager and administration. It may be necessary to complete a risk assessment for the benefit of the employee at this stage to ensure that duties are appropriate.
- 30 The School requires, and it is also a legal requirement, at least 15 weeks' prior written notification of the expected date of delivery (due date) and at least three weeks written notice before the proposed start of Maternity Leave. The School appreciates being given as much notice as possible to help with cover arrangements and timetable planning.
- 31 After the 20th week of pregnancy, a MATB1 form will be issued by the midwife or doctor, this confirms the expected week of childbirth and must be passed to the school's Business and Finance Manager or Registrar.

Maternity Leave

- 32 The earliest maternity leave can start is the 11th week before the baby is due. The employee may continue to work, if she so wishes, until a date later than the 11th week before the expected date of delivery (due date).
- 33 The employee must confirm whether or not she intends to return to work after Maternity Leave.
- 34 You must notify us of your Intended maternity leave start date. We will then write to you within 28 days to inform you of the date we will expect you to return to work if you take your full entitlement to maternity leave (Expected Return Date).
- 35 You can postpone your Intended Start Date by informing us in writing at least 28 days before the original Intended Start Date, or if that is not possible, as soon as reasonably practicable. You can bring forward the Intended Start Date by informing us at least 28 days before the new start date, or if that is not possible, as soon as reasonably practicable.
- 36 Maternity leave shall start on the earlier of:
- your Intended Start Date (if notified to us in accordance with this policy); or
 - the day after any day on which you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth; or
 - in cases where the birth is premature, the day after you give birth.
- 37 If you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth, you must let us know as soon as possible in writing. Maternity leave will be triggered under the terms set out in this section, unless we agree to delay it
- 38 If you give birth before your maternity leave was due to start, you must let us know the date of the birth in writing as soon as possible.
- 39 Please note that you are legally prohibited from working during the two weeks following childbirth.
- 40 Shortly before your maternity leave starts we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events.
- 41 Should you decide to return to work before the end of your Maternity Leave, you must give at least 8 weeks' notice of your intentions.
- 42 Failure to return to work after 52 weeks' maternity leave without appropriate contact with the School may result in your contract of employment being terminated under the relevant Policy and Procedure. Returning to work may be postponed by up to four weeks due to illness, and notification to the School must include a relevant medical certificate.

Employment terms and conditions during maternity leave

43 All the terms and conditions of your employment remain in force during maternity leave, except for the terms relating to pay. In particular:

- benefits in kind shall continue;
- where appropriate, annual leave entitlement under your contract shall continue to accrue (see 'Annual leave'); and
- pension benefits shall continue (see 'Pensions').

Annual leave

44 For staff on year-round contracts, annual leave will accrue at the rate provided under your contract

Pensions

45 The 39 weeks maternity pay period is treated as pay for pension purposes and pension contributions, based on the pay received, will be deducted. This means that the 39 weeks counts towards pension calculations when you retire.

46 There is no obligation to pay contributions on the remainder of the maternity leave period. However should you wish to pay pension contributions for the duration of the unpaid maternity

Redundancies during maternity leave

47 In the event that your post is affected by a redundancy situation occurring during your maternity leave, we shall write to inform you of any proposals and shall invite you to a meeting before any final decision is reached as to your continued employment. Employees on maternity leave shall be given first refusal on any suitable alternative vacancies that are appropriate to their skills

Keeping in touch days

48 During maternity leave an employee is entitled to work up to 10 days without their maternity pay being affected. These days could be for training, or just for "keeping in touch". The employee is not obliged to work these days, and the School is not obliged to provide these days though it is good practice to invite maternity leavers to attend, for example, departmental or school training (inset) days. The School will contact you if the opportunity for any such days arises.

49 Keeping in Touch days will be paid at full pay, to a maximum of 10 days.

Returning to work

50 We will expect you back at work on your Expected Return Date unless you tell us otherwise. It will help us if, during your maternity leave, you are able to confirm that you will be returning to work as expected.

Returning early

51 If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice. It is helpful if you give this notice in writing. If not enough notice is given, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

Returning late

52 If you wish to return later than the Expected Return Date, you may either request unpaid parental leave, giving us as much notice as possible but not less than 21 days; or request paid annual leave in accordance with your contract, which will be at our discretion.

53 If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy and Procedure will apply.

54 In any other case, late return will need to be treated as unauthorised absence.

Deciding not to return

55 If you do not intend to return to work, or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract. The amount of maternity leave left to run when you give notice must be at least equal to your contractual notice period, otherwise we may require you to return to work for the remainder of the notice period.

56 Once you have given notice that you will not be returning to work, you cannot change your mind without our agreement.

57 This does not affect your right to receive SMP

Your rights when you return

58 You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been had you not been absent. However, if you have taken any period of additional maternity leave and it is not reasonably practical for us to allow you to return into the same position, we may give you another suitable role on terms and conditions that are not less favourable.

Returning to work part-time

59 We will deal with any requests by employees to change their working patterns (such as working part-time) after maternity leave on a case-by-case basis. There is no absolute right to insist on working part-time, but you do have a right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the School / Trust. It is helpful if requests are made as early as possible.

Paternity Leave Policy

Policy Statement

- 1 An employee is entitled to up to two weeks' paternity leave provided they have worked for the School for at least 26 weeks prior to the 15th week before the baby is due and:
 - are the father of the child or the husband or partner of the mother (including same-sex partner)
 - have or expect to have responsibility for the upbringing of the child
 - have given the correct notice.
- 2 This policy does not form part of any employee's contract of employment and may be amended from time to time.

Notice

- 3 An employee entitled to paternity leave is required to inform the School of his / her intention to take paternity leave on or before the 15th week before the baby is due, unless this is not reasonably practicable. The employee should inform their line manager or Head of Department in writing of:
 - the week the baby is expected
 - whether he / she will take one or two weeks' paternity leave
 - when he / she wants the leave to start.
- 4 If an employee entitled to paternity leave has given notice of his / her intention to take paternity leave and wishes to change the date the leave begins, he / she must give written notice 28 days before the new period of leave is due to start.

Time off to attend ante-natal appointments

- 5 An employee is allowed reasonable time off to accompany the expectant mother at up to two antenatal appointments. Whenever possible, appointments should be made at the start or end of the working day. You may be required to produce an appointment card or some other document confirming all appointments other than the first.
- 6 There will be no deduction from your salary for attendance at authorised ante-natal appointments, including any time spent travelling to and waiting for the appointment.

Paternity Leave

- 7 As soon as possible after the baby is born, the person entitled to paternity leave should email their line manager or Head of Department to confirm the date of birth.

- 8 The person entitled to paternity leave can take either one week or two consecutive weeks' paternity leave (not occasional days or separate weeks) and can choose to start his / her leave:
 - from the date of the child's birth (whether this is earlier or later than expected) or
 - on a chosen day after the date of the child's birth (whether this is earlier or later than expected) or
 - from a chosen date which is later than the first day of the expected week of childbirth (EWC).
- 9 If the child is born before the EWC, paternity leave must be taken:
 - within 56 days of that date or
 - within 56 days of the actual date of birth of the child.
- 10 Only one period of paternity leave will be available even if more than one child is born as the result of the same pregnancy.

Paternity Leave Pay

- 11 During paternity leave full salary will be paid provided that all of the conditions outlined above have been met.

Pregnancy and baby loss

- 12 In the event that the baby is stillborn from 24 weeks of pregnancy onwards, or the baby only survives for a short period of time after birth, full paternity leave and paternity pay will be paid to the person entitled to paternity leave, provided that all of the conditions outlined above have been met.
- 13 Employee can access counselling and support via the Employee Assistance Programme, and may also wish to access support from various baby loss organisations, a full list of which can be found in section 24 of the Maternity Leave Policy.

Returning to work after Paternity Leave

- 14 The employee entitled to paternity leave is entitled to return to the same job following no more than two weeks' paternity leave.
- 15 Please note that all normal terms and conditions of employment remain unchanged during the period of Paternity Leave.

Adoption Leave Policy

Policy Statement

- 1 Every effort is made to support employees who are engaged in the process of adopting a child. This policy sets out the procedures that should be followed to ensure a smooth handover at the start and end of adoption leave.

The right to adoption leave

- 2 Adoption leave and pay will be available to employees who adopt a child. To qualify for adoption leave you must:
 - be newly matched with a child for adoption by an approved adoption agency; this right will not therefore apply to step-parents adopting a stepchild
 - have been employed continuously by the Trust for 26 weeks leading into the week in which you are notified of being matched with a child for adoption.

Time off

- 3 Single adopters may have paid time off to attend up to 5 appointments with the adoption agency (up to a maximum of 6.5 hours per appointment)
- 4 Joint adopters employed by the Trust: one adopter has the right to paid time off to attend up to 5 appointments (up to a maximum of 6.5 hours per appointment), the other has the right to unpaid time off to attend 2 appointments.
- 5 Adoption leave can start:
 - from the date of the child's placement (whether this is ear expected), or
 - from a fixed date which can be up to 14 days before the expected date of placement.

Length of leave

- 6 You are entitled to up to 26 weeks' ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave (presuming you qualify for the leave). This gives you a maximum of 52 weeks' leave in total. Only one period of leave is available even if you are adopting more than one child.
- 7 If the child's placement ends during adoption leave, you will be able to take up to eight weeks' adoption leave after the end of the placement.

Adoption pay

- 8 The statutory scheme provides for 39 weeks' pay at the current statutory rate or 90% of your average weekly earnings if this is less than the current statutory rate.
- 9 Employees will receive adoption pay greater than the statutory amount if they have completed 12 months service; the enhanced pay will be equivalent to an employee's enhanced maternity pay entitlement. The same terms and conditions governing enhanced maternity pay will apply to enhanced adoption pay.

Notification

- 10 Employees are required to inform your line manager or Head of Department in writing of their intention to take adoption leave within seven days of being notified that they have been matched with a child for adoption, unless this is not reasonably practicable. The school's Business and Finance Manager will also need to be notified. The employee will need to state:
- when the child is expected to be placed with you, and
 - when you want your adoption leave to start.
- 11 The employee will also have to provide the School with a 'matching certificate' from the adoption agency.
- 12 The employee can change their mind about the date they want to start adoption leave, but will have to inform their line manager or Head of Department at least 28 days in advance, unless this is not reasonably practicable.
- 13 The School will write to you within 28 days of receiving your notice, setting out the date on which we expect the employee to return to work if the full entitlement to adoption leave is taken.

Contractual benefits

- 14 You will continue to receive your contractual benefits during your ordinary adoption leave period and your additional adoption leave period (apart from remuneration).

Returning to work

- 15 You have the right to return:
- with your seniority, pension rights and similar rights
 - on terms and conditions no less favourable than those which would have applied if you had not been absent.
- 16 If you wish to return to work before the end of your adoption leave period, you must give at least eight weeks' advance notice in writing.

Keeping in touch

- 17 During adoption leave, an employee is entitled to work for up to 10 days without their adoption leave being affected. These days could be for training, or just for "keeping in touch". The employee is not obligated to work these days, and the School is not obliged to provide these days though it is good practice to invite adoption leavers to attend, for example, departmental or school training (inset) days. The School will contact you if the opportunity for any such days arises.
- 18 Keeping in Touch days will be paid at full pay, to a maximum of 10 days.

Shared Parental Leave Policy

Policy Statement

- 1 Mothers, fathers, partners and adopters of babies born or placed for adoption on or after 5 April 2015 may choose how to share their leave. A father/partner may take leave at the same time as the mother or when the mother returns to work. The combined leave of both mother and partner must not exceed a total of 52 weeks. It is a legal requirement that the mother must take at least 2 weeks' maternity leave following the birth of her child.
- 2 This policy does not form part of any employee's contract of employment and may be amended from time to time.

Statutory Benefits

- 3 Shared Parental Leave (SPL) is optional for parents. A mother can rely on her entitlements under the Trust's maternity policy.
- 4 To qualify for SPL an employee must:
 - be the child's mother, father or adoptive parent and share the main responsibility for the care of with the child's parent or with their partner at the time of birth or placement for adoption meet the criteria for maternity/adoption leave or the eligibility criteria for SPL have curtailed, or given notice to reduce, their maternity/adoption leave comply with the notification requirements.

Eligibility Criteria for SPL

- 5 Where a mother or father is an employee but the partner is self-employed, or unemployed having recently lost his/her job, the partner will not technically qualify for SPL and shared paternity pay as he has no employer. However, because the partner has been economically active, the mother is not restricted to taking maternity leave but can request the more flexible SPL.
- 6 Alternatively, where a partner is an employee, but the mother is self-employed or recently unemployed, the mother will have no maternity leave or SPL entitlement herself, but will qualify for the maternity allowance. If the mother curtails her entitlement to maternity allowance, the mother will be able to give her partner access to the SPL scheme.

Notice

- 7 An employee entitled to SPL must notify their line manager or Head of Department. Either the employee or the line manager or the Head of Department will inform the School's Business & Finance Manager in writing of her intention to curtail her maternity/adoption leave and share her leave with her partner.
- 8 Notice must be given at least 8 weeks prior to when she/he wishes the leave to stop or be shared with her partner and she/he must declare that their partner has also informed his/her employer.
- 9 The School will ask for the following information:

- the name of the other parent who is sharing the parental leave
- where applicable, the start and end date of maternity leave, statutory maternity pay, or maternity allowance. This information is also requested where the employee is the child's father or the mother's partner
- a copy of the child's birth certificate or documents notifying the primary adopter that the child was placed with them
- the name and address of the partner's employer
- the total SPL available, which is 52 weeks minus the number of weeks of maternity leave, SMP or MA taken or to be taken
- the number of weeks of SPL which will be allocated to the employee and the number which will be allocated to the other parent
- an indication of the pattern of leave requested, including suggested start and end dates for each period of leave

10 The mother/partner may request to take their SPL in a continuous block of leave or in separate blocks of leave (up to a maximum of 3 blocks). The Trust will consider requests for discontinuous leave on a case-by-case basis. The Trust is not obliged to agree to a request for discontinuous leave and agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

11 Both the employee and the other parent will be required to sign a declaration confirming that they both meet the statutory conditions for SPL.

Shared Parental Leave Pay

12 Shared Parental Leave Pay will be calculated under the same terms as maternity pay.

Time Off

13 The partner will be allowed time off for attendance at two ante-natal appointments. Whenever possible, appointments should be made at the start or end of the working day. You may be required to produce an appointment card or some other document confirming the appointments.

Keeping in touch days

14 The mother and her partner are both entitled to 20 Shared Parental Leave Keeping in Touch Days. This is in addition to the mother's right to 10 KIT days as shown under maternity leave policy.

15 Keeping in Touch days will be paid at full pay.

Returning to work

- 16 The mother/partner have the right to return to their job after 26 weeks (or less) SPL. The right to return to the same or similar job will be given to employees returning to work after more than 26 weeks SPL.

Parental Leave Policy

Policy Statement

- 1 The parental leave policy sets out the support available to staff with young children.

The School will grant a maximum of 18 weeks unpaid parental leave for each child up to their birthday, providing the employee is entitled to request such leave. No more than four weeks can be taken in any one year per child
- 2 You must take parental leave as whole weeks (eg 1 week or 2 weeks) rather than individual days, unless your employer agrees otherwise or if your child is disabled. You don't have to take all the leave at once.
- 3 A 'week' equals the length of time an employee normally works over 7 days

Entitlement

- 4 Leave will only be granted if you have been employed by the Trust for at least one year.
- 5 To request parental leave you must have parental responsibility for the child, whether as a natural or adoptive parent.
- 6 The leave should be taken before the child's 18th birthday.

Notice

- 7 Requests for Parental Leave must be made to your line manager or Head of Department at least 21 days in advance, in writing, indicating when you would like the leave to begin and end.
- 8 If the School cannot arrange cover for you we may postpone the leave to a later date.

Leave

- 9 Leave must be taken in blocks of one week. If the child qualifies for a disability living allowance, however, the leave can be taken as single days or multiples of a day.

Right to Return to Work

- 10 On return from four weeks or less parental leave you may return to the same job. On return from more than four weeks' leave you are entitled to return to a similar job with the same terms and conditions.

Flexible Working Policy

Policy statement

- 1 All staff have the right to request flexible working arrangements providing they have been continuously employed by the Trust for no less than 26 weeks.

Applications for Flexible Working

- 2 Applications should be made in writing to your line manager explaining the type of flexibility/contract variation being requested, and when the change should ideally come into effect.
- 3 The Trust will consider any requests, and will aim to deal with the request within 28 days by holding a meeting with the employee to discuss the request and will give formal notice of the decision.
- 4 If the request is refused, the Trust will provide a good business case for such refusal, outlining the appeals procedure.

Appeals

- 5 If a request is refused, the employee may appeal via the Local Governing Body. The school will only consider one application per staff member in any 12 month period.

Parental Bereavement Leave

The Trust is committed to providing support to employees who experience loss in their lives and, in particular, appreciates that the tragic death of a child, or a stillbirth, can be one of the most harrowing experiences of someone's life.

This policy explains rights to time off, pay during time off and the other support offered in support at this difficult time.

Eligibility

Parental bereavement leave is available from the first day of employment. It is available to employees on the death of a child under the age of 18. You may take parental bereavement leave if you fall into any one of the following categories:

- A 'natural' parent,
- An adoptive parent, including those fostering to adopt
- An intended parent under a surrogacy arrangement where it was expected that a parental order would be made
- A 'parent in fact' which is someone in whose home the child has been living for a period of at least four weeks before the death and has had day to day responsibility for the child. This category includes guardians and foster parents but does not include paid carers

The partner of anyone who falls into the above categories, where they live in an enduring family relationship with the child and their parent. In addition, parents who suffer a stillbirth after 24 weeks of pregnancy are entitled to take parental bereavement leave

Length of leave and how it may be taken

A total of two weeks may be taken as parental bereavement leave and you may choose to take leave as:

- A single block of one week
- A single block of two weeks
- Two separate blocks of one week.

Leave may start on any day of the week and must be taken in whole weeks. It may be taken at any time in the 56 week period following the death.

If you have suffered a stillbirth after 24 weeks of pregnancy, you are still entitled to take your full entitlement to maternity and paternity leave, provided you were eligible to take maternity or paternity leave in the first place, in addition to parental bereavement leave. Parental bereavement leave cannot be taken at the same time as maternity or paternity leave.

Where more than one child dies or is stillborn, you are entitled to two weeks of parental bereavement leave in relation to each child.

Notification requirements

Where the leave taken begins within 56 days of the child's death, notice should be given by the employee before they are due to start work on their first day of absence or, if it is not reasonably practicable to do so, as soon as is reasonably practicable. Where, however, the leave taken begins after 56 days from the date of death, at least one week's notice should be given.

Cancelling or changing leave dates

You can cancel a period of bereavement leave that you have already told us about, as long as the period of leave has not already started. Please let your line manager know as soon as you can about any planned date changes.

Payment during leave

You will qualify for statutory parental bereavement pay during leave if you meet the following criteria:

- You have been continuously employed with us for at least 26 weeks by the week prior to the week in which the child dies

- Your normal average weekly earnings are not less than the lower earnings limit relevant for national insurance purposes
- You are still employed by us on the date of the child's death.

Although the minimum payment level is formally set by the Government each year or at 90 per cent of your average weekly earnings (whichever is lower), The Trust will maintain your salary at 100% of normal pay for the duration of your absence.

In order to receive statutory parental bereavement pay, you must provide us with notice of the following information within 28 days, or as soon as is reasonably practicable, of the first day of parental bereavement leave:

- The child's name
- The date of the death or stillbirth
- A declaration that you fall into the one of the categories listed under 'Eligibility' above.

Terms and conditions during leave

During parental bereavement leave, you remain entitled to receive your normal contractual terms and conditions of employment that you would have received had you not taken this leave, with the exception of remuneration. This will include contractual benefits, subject to the terms of these benefits.

Right to return

Upon your return to work, you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence unless.



Palingswick House
241 King Street
Hammersmith
London W6 9LP
T 020 8600 0670
E admin@wfs.org

www.knowledgegeschoolstrust.org