



An Daras Trust  
Igniting Curiosity Growing Capabilities

# An Daras Multi-Academy Trust

## Staff Leave and Absence Suite of Policies

### Including Paternity, Parental Bereavement Pay & Leave, Maternity and Adoption Policies

The An Daras Multi Academy Trust (ADMAT) Company

An Exempt Charity Limited by Guarantee

Company Number/08156955

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Linked Documents and Policies	

## **An Daras Staff Leave and Absence Policy**

### **Introduction**

1. An Daras Trust recognises and values the contribution of each member of staff to the education of the children in the school. It recognises that employees will occasionally be absent from work for a variety of reasons including ill health, maternity/paternity etc, emergencies. Absence of any staff member employed in schools during term time means an impact on the children's education. Therefore, requests for absence to be taken during term time must be regarded ~~by all~~ as an exception.
2. This policy sets out details and entitlements for staff members in relation to absence. Part-time staff will have entitlement for leave from work reduced in proportion to the percentage of time they work (pro rata).
3. Staff will only be entitled to time off under this policy if, as soon as is reasonably practicable, they tell the Executive Head Teacher the reason for the absence and how long they expect to be away from work. If staff fail to notify us as required, they may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off.
4. Where it is possible to do so in advance or when staff return to work after taking time off under this policy, we might ask them to provide evidence of the reasons for taking the time off for example a medical certificate. Suspected abuse of this policy will be dealt with as a disciplinary issue under our Disciplinary Procedure.
5. Unauthorised absences will be dealt with under our Disciplinary Policy and absence due to sickness or injury will be dealt with under our Managing Sickness Absence Policy.

### **Approval for Leave**

6. All staff will be required to follow the Trust procedures for requesting leave of absence and for reporting absence. Prior approval is needed for all authorised paid and unpaid absence from work.
7. Requests for paid or unpaid leave must be made in writing to the Executive Head Teacher with full reasons for the request. Requests by the Executive Head Teacher should go to the CEO or DCEO (if CEO unavailable). The request should be made as soon as it is known that it will be required, no less than one full week in advance of the proposed absence, except in exceptional or unforeseen circumstances.
8. The Local Governing Body and Board of Directors have given delegated authority to the Executive Head Teacher to approve leave of absence requests for up to 3 days. For anything greater the Executive Head Teacher must discuss each case with the CEO or Deputy CEO (If CEO unavailable).
9. Requests for leave of absence will be considered when taken into account:
  - The principles of this policy
  - The best interests of the children and the school,

- Treating staff in a fair, reasonable and consistent way,
- The terms and conditions of employment.

### **Holidays**

10. Term time contracted staff, including teachers, are not permitted to take holiday leave during term time.
11. Year-round contracted staff are permitted to request leave in term time up to a maximum of 10 consecutive days.

### **Medical appointments**

#### **Dental & Optician appointments**

12. Routine appointments must be made outside of working hours. Requests for routine appointments will not be granted.

#### **Other medical appointments**

13. Where possible medical appointments should be made outside of work hours. Where this is not possible and it is evident that the staff member cannot influence the day &/or time, then reasonable time off, with pay, will be granted and recorded. Wherever possible staff are expected to attend work before &/or return to work after the appointment – health, time & travel permitting.
14. For all medical appointments during work hours staff are required to produce the appointment letter/email/text which must be submitted with the request for leave.

### **Absence & leave involving Dependents**

**“Dependent” is defined as a spouse, partner, child (under 18 &/or with additional needs), parent(s), someone for whom the employee is a carer or anyone who reasonably relies on the employee for assistance.**

15. The Employment Relations Act 1999 provides a right for employees, regardless of length of service, to take a ‘reasonable’ amount of time off work to deal with certain uncertain/unexpected events involving a dependent or dependents. The Act does not state the time is to be paid.
16. Staff have a right to take a reasonable amount of time off work when it is necessary to:
  - provide assistance when a dependent falls ill, gives birth, is injured or assaulted;
  - make longer-term care arrangements for a dependent who is ill or injured;
  - take action required in consequence of the death of a dependent;
  - deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependent; and/or
  - deal with an unexpected incident involving their child.

17. Reasonable time off will not normally be more than one or two days. However, the Executive Headteacher/Headteacher/CEO/DCEO will always consider each set of circumstances.
18. In some circumstances we understand a dependent might require assistance/support in attending a crucial/important medical appointment. In this situation we will grant 3 working days (1 day to be taken at a time not consecutively) paid leave in any rolling 12-month period. In exceptional circumstances this could be extended (paid or unpaid) at the discretion of the Executive Headteacher/Headteacher/CEO/DCEO.

#### **Family Friendly Days**

19. At An Daras Trust we realise that there are some things that maybe out of your control. For example, your dependent has a fall and ends up in hospital or your child becomes unwell and needs immediate care, that's why we offer 5 paid Family Friendly Days.
20. The Family Friendly Days allow staff to be off work to care for a dependent who is unable to care for themselves, they are for emergencies only and cannot be pre-booked.
21. They are available to all employees of the Trust however only 1 day can be taken at any given time, staff cannot take all 5 family days off consecutively. Once these family friendly days are used the table below will apply for any other incidents.

***Maternity, Paternity Leave, Adoption, Parental Leave are covered in separate Policies covered in Appendices to this Policy***

## Neo Natal Care Policy

From 6 April 2025, staff at An Daras Trust are entitled to Neonatal Care Leave and Pay under the Neonatal Care (Leave and Pay) Act 2023.

### Eligibility

- Available to all employees from day one of employment.
- Applies to:
  - Biological parents
  - Adoptive parents
  - Same-sex partners
  - Surrogacy and intended parents
- The baby must be:
  - Admitted to neonatal care within 28 days of birth
  - In hospital for at least 7 continuous days

### Leave Entitlement

- Up to 12 weeks of paid leave
- Leave is in addition to maternity, paternity, adoption, or shared parental leave
- Leave is granted as 1 week for each week the baby remains in neonatal care (after the 7-day threshold)

### Statutory Pay

- Employees may receive Statutory Neonatal Care Pay if they:
  - Have 26 weeks' continuous service by the qualifying week
  - Earn at least the Lower Earnings Limit
  - Remain employed during the week before the leave starts

### Interaction with other leave

- This leave is separate from and does not reduce other parental leave entitlements
- It can be taken before or after maternity/paternity leave, depending on the situation

## **An Daras Paternity Policy**

### **About this policy**

1. This policy outlines when an employee may be entitled to paternity leave and paternity pay, and sets out the arrangements for taking it.
2. It reflects changes introduced by the Employment Rights Act 2025, which make paternity leave a day-one right and remove previous restrictions on the timing of paternity leave
3. This policy does not form part of any employee's contract of employment and we may amend it at any time. This policy is subject to the terms of your contract of employment.
4. In some cases, you and your partner may be eligible to opt into the shared parental leave (SPL) scheme which gives you more flexibility to share the leave and pay available in the first year. This is in addition to your right to paternity leave.

Statutory paternity leave and paternity pay is available to fathers and the partners of mothers of the baby. The provisions apply whether the staff member's service is full time or part time, irrespective of the number of hours, or is permanent or temporary, subject to the conditions of the scheme being met.

The school is aware that paternity leave is not restricted to males and will treat any concerns or queries about paternity leave, e.g. requests to take the leave, equally, regardless of the gender of the individual.

Staff members who are acting as the "prime or nominated carer" for the mother and/or the baby may request nominated carers' leave regardless of their gender. They are subject to the same provisions as applied to staff members requesting paternity leave.

The entitlement is an allowance of up to two weeks' absence, subject to eligibility as outlined below. These two weeks' absence can be taken together or separately. The staff member will notify the school in advance how they intend to take their leave.

The leave allowance is the same even if requested for the birth of more than one child, e.g. twins.

A 'week' of leave is equivalent to the number of days the staff member works in one week, e.g. if the staff member works three days a week, a 'week' of leave will be three days.

In order to apply for birth leave, the staff member will need to provide a copy of the MAT B1 or birth certificate, along with a letter from the mother confirming they are the nominated person.

### **Entitlement to paternity leave**

5. Paternity leave is available from day 1 of employment and:
  - (a) you are the biological father and will have some responsibility for the child's upbringing;

- (b) you are the partner (that is, spouse, civil partner or cohabiting partner) of the mother, and will have the main responsibility (with the mother) for the child's upbringing; or
  - (c) the child is born to a surrogate mother where you are, or your partner is, one of the child's biological parents, and you expect to obtain a parental order giving you and your partner legal responsibility for the child.
- 6. Paternity leave is available where a child is placed with you for adoption by an adoption agency,-
- 7. In adoption or surrogacy cases you may be entitled to take adoption leave instead (see our Adoption Policy). However, adoption leave may only be taken by one parent. Paternity leave is available to the other parent (of either sex).

### **Stillbirth and neonatal loss**

- 8. If eligible, you are entitled to paternity leave and pay if your child is stillborn after 24 weeks of pregnancy or born alive at any stage of pregnancy but does not survive (neonatal loss). For a policy which addresses in more detail the range of support available in the event of a stillbirth or neonatal loss, see our Parental Bereavement Policy

### **Taking paternity leave**

- 9. Paternity leave is a period of one or two weeks' leave. If you choose to take two weeks, you can take them together or separately when a child is born or placed with you for adoption. You cannot start leave before the birth. It must end within 52 weeks of the birth (or due date, if the child is early). The start and end date rules are different if you adopt, your period of Paternity Leave can start as early as:
  - (a) the date of placement;
  - (b) the date the child arrives in the UK if you're adopting from overseas
  - (c) the date the child's born (or the day after if you're working that day) if you're a surrogate parent;
  - (d) a date you choose which falls after the date of placement.Your leave must end within 52 weeks of the placement or arrival date.
- 10. To take paternity leave you must give us written notice by the end of the 15th week before the Expected Week of Childbirth (or no more than seven days after the adoption agency notified you of being matched with a child), or as soon as you reasonably can, stating:
  - (a) the Expected Week of Childbirth;
  - (b) whether you intend to take one week or two weeks' leave; and
  - (c) when you would like your leave to start.

11. You can change the intended start date by giving us 28 days' notice or, if this is not possible, as much notice as you can.
12. Employees may now take paternity leave even if they have already taken Shared Parental Leave

### **Paternity Pay**

13. Statutory paternity pay (SPP) is payable during paternity leave, provided you have at least 26 weeks' continuous employment ending with the Qualifying Week (the 15th week before the Expected Week of Childbirth or the week in which the adoption agency notified you of a match) and your average earnings are not less than the lower earnings limit set by the government each tax year. The rate of SPP is set by the government each tax year.

### **During paternity leave**

14. All the usual terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay.
15. Holiday entitlement will continue to accrue during paternity leave. If your paternity leave continues into the next holiday year, any remaining holiday that is not taken before your paternity leave can be carried over to the next holiday year and must be taken immediately before returning to work.
16. If you are a member of our pension scheme, we will make employer pension contributions during paternity leave, based on your normal salary, in accordance with the scheme rules. Any employee contributions you make will be based on the amount of any paternity pay you are receiving, unless you inform Human Resources that you wish to make up any shortfall.

## **An Daras Parental Bereavement Leave Policy**

Where a staff member's child dies before they turn 18, or if they have a stillbirth after 24 weeks of pregnancy, they may take **up to two weeks' leave for each child** who has died or was stillborn. The leave can start on or after the date of the death or stillbirth. It may be taken as:

- Two consecutive weeks
- Two separate one-week blocks
- A single week

However, the leave must be taken within **56 weeks** of the date of the death or stillbirth.

If a staff member is taking another type of statutory leave (e.g. maternity leave following a stillbirth) when the child dies or the stillbirth happens, their parental bereavement leave will start **after** the other leave has ended, but does **not** have to be taken immediately afterwards.

### **Eligibility**

To qualify for parental bereavement leave, the staff member must meet at least one of the following criteria at the time of the child's death or stillbirth:

- The child's biological parent (unless an adoption or parental order has transferred responsibility)
- The child's adoptive parent
- An intended parent under a surrogacy arrangement
- A natural parent of a child since adopted by someone else, where a contact order allows the staff member or partner to have contact
- The partner of the child's parent
- A person who had been caring for the child at home for at least four continuous weeks (not in a paid capacity)

### **Notice Requirements**

1. **During the first 8 weeks** after the death or stillbirth, staff must notify the school before they would normally start work on the first day of leave.
2. If the staff member has already started work on the day of the request, leave begins the following day.
3. Leave planned within the first 8 weeks may be **cancelled** with notice before the first day of

planned leave; it cannot be cancelled once started.

4. **Between weeks 9 and 56**, at least **one week's notice** is required.
5. Notifications do not need to be in writing but must include:
  - Date of death or stillbirth
  - Intended start and end dates
  - Amount of leave requested (one or two weeks)
  - Staff member's relationship to the child

### **Statutory Parental Bereavement Pay (SPBP)**

To qualify for SPBP, staff members must:

- Have 26 weeks' continuous employment ending on the Saturday before the child's death or stillbirth
- Remain employed until the date of the death or stillbirth
- Meet the lower earnings limit for National Insurance
- Provide required notice and information

SPBP must be requested within **28 days** of the first day of the week claimed. The rate is the same as statutory paternity pay and reviewed annually.

The school may request written confirmation of:

- Staff member's name
- Dates of the leave period claimed
- Date of the child's death or stillbirth
- Confirmation of eligibility (including completion of the government online declaration)

### **3. Bereaved Partner's Extended Paternity Leave**

From **April 2026**, where the mother or primary adopter dies within the child's first year, the surviving partner is entitled to **up to 52 weeks of paternity leave**, regardless of length of service.

This entitlement is separate from parental bereavement leave and may be taken in blocks or continuously depending on circumstances and statutory pay eligibility.

#### 4. Miscarriage

- If a pregnancy ends in miscarriage **before 24 weeks**, the staff member is entitled to:
  - Statutory sick leave/pay where medically unfit for work
  - Up to 5 working days' compassionate leave after the sick-leave period
- Partners are entitled to **up to 5 working days' compassionate leave**.

#### 5. Interaction With Other Types of Leave

Bereavement-related leave may interact with other statutory leave as follows:

- **Parental Bereavement Leave** takes precedence where a child dies or is stillborn after 24 weeks.
- **Bereaved Partner's Extended Paternity Leave** may be taken before or after other statutory leave entitlement.
- **Sick leave** may be taken where an employee is unfit for work following bereavement.
- **Annual leave** (for year-round staff) may be taken immediately before or after statutory bereavement leave.

#### Wellbeing support

1. The school understands that experiencing a miscarriage or other parental bereavement is extremely difficult for all those involved. A supportive workplace environment will be fostered to ensure staff members feel able to discuss their pregnancy and any bereavement with their colleagues and line manager.
2. The staff member's line manager will keep in contact with the staff member throughout any period of absence and will ensure the necessary support is put in place for their return to work. The line manager and staff member will discuss what reasonable adjustments can be put in place to support the staff member at work, and who, if anyone, the staff member would like to be informed about the situation.
3. The staff member's line manager will ensure the staff member is aware of the wellbeing support available both in school and externally.

#### Pregnancy-related sick leave

4. If a staff member is not well enough to work due to any pregnancy-related reason, including a miscarriage, they will be able to take sick leave and receive sick pay in line with usual sick leave procedures.
5. The school will record any sick leave relating to a staff member's pregnancy (including sick

leave following a miscarriage) separately to other sick leave. Pregnancy-related sick leave will not be taken into consideration for any other circumstances, including absence management procedures or disciplinary procedures.

6. The school will seek advice from its external HR advisor where necessary.

## An Daras Maternity Policy

### About this policy

1. This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth, and sets out the arrangements for pregnancy-related sickness, health and safety, and maternity leave.
2. In some cases, you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. You will need to give us at least eight weeks' notice to opt into SPL, and you must remain on maternity leave until at least two weeks after birth.
3. This policy only applies to employees and does not apply to agency workers or self-employed contractors. This policy does not form part of any employee's contract of employment and we may amend it at any time. This policy is subject to the terms of your contract of employment.

### Entitlement to maternity leave

4. All employees are entitled to up to 52 weeks' maternity leave, consisting of 26 weeks' ordinary maternity leave (**OML**) and 26 weeks' additional maternity leave (**AML**).

### Stillbirth and neonatal loss

5. You are entitled to maternity leave in accordance with this policy if your child is stillborn after 24 weeks of pregnancy or born alive at any stage of pregnancy but does not survive (neonatal loss). If eligible, you will also be entitled to maternity pay in accordance with paragraph 15. For a policy which addresses in more detail the range of support available in the event of a stillbirth or neonatal loss, please see our Parental Bereavement Policy.

### Notification

6. Please inform us as soon as possible that you are pregnant. This is important as there may be health and safety considerations.
7. Before the end of the fifteenth week before the week that you expect to give birth (**Qualifying Week**), or as soon as reasonably practical afterwards, you must tell us:
  - 1.7.1 the week in which your doctor or midwife expects you to give birth (**Expected Week of Childbirth**); and
  - 1.7.2 the date on which you would like to start your maternity leave (**Intended Start Date**).

8. We will write to you within 28 days to tell you the date we will expect you to return to work if you take your full maternity leave entitlement (**Expected Return Date**).
9. Once you receive a certificate from a doctor or midwife confirming your Expected Week of Childbirth (MATB1), you must provide us with a copy.

### **Starting maternity leave**

10. The earliest you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).
11. If you want to change your Intended Start Date, please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new Expected Return Date.
12. Your maternity leave should normally start on the Intended Start Date. However, it may start earlier if you give birth before your Intended Start Date, or if you are absent for a pregnancy-related reason in the last four weeks before your Expected Week of Childbirth. In either of those cases, maternity leave will start on the following day.
13. Shortly before your maternity leave is due to start, 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.
14. The law says that we cannot allow you to work during the two weeks following childbirth. This is known as compulsory maternity leave.

### **Maternity pay**

15. Statutory maternity pay (**SMP**) is payable for up to 39 weeks, provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks of SMP are paid at 90% of your average earnings and the remaining 33 weeks are at 90% of your average weekly earnings, or a rate set by the government each year, whichever is lower.

### **During maternity leave**

16. With the exception of terms relating to pay, your terms and conditions of employment remain in force during OML and AML.
17. Holiday entitlement will continue to accrue during maternity leave. If your maternity leave will continue into the next holiday year, any holiday entitlement that is not taken before starting your maternity leave can be carried over and must be taken immediately before returning to work. Please discuss your holiday plans with your manager in good time before starting your maternity leave. All holiday dates are subject to approval by your manager.

18. If you are a member of the pension scheme, we shall make employer pension contributions during OML and any period of paid AML, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any maternity pay you are receiving, unless you inform the Human Resources Department that you wish to make up any shortfall.

### **Keeping in touch**

19. We may make reasonable contact with you from time to time during your maternity leave, although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.
20. You may work (including attending training) on up to ten "keeping-in-touch" days during your maternity leave. This is not compulsory and must be discussed and agreed with the Human Resources Department.
21. You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any maternity pay entitlement.

### **Returning to work**

22. You must return to work on the Expected Return Date unless you tell us otherwise. If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the Expected Return Date if you request annual leave or parental leave, which will be at our discretion.
23. You are normally entitled to return to work in the position you held before starting maternity leave, and on the same terms of employment. However, if you have taken AML and it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.
24. If you want to change your hours or other working arrangements on return from maternity leave, you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.
25. If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

## Parental Leave

Parental leave is a statutory entitlement that enables employees to take time away from work to care for their child's welfare. It is designed to support parents in balancing work and family responsibilities and to provide flexibility during the early years of a child's life or at key stages such as starting school or adjusting to changes in care arrangements.

### Eligibility

From **6 April 2026**, parental leave becomes a **day-one right** for all employees, meaning that there is **no minimum service requirement** before leave can be taken. Employees qualify for parental leave for each child they are legally responsible for, including:

- Biological parents
- Adoptive parents (once the child is placed or matched)
- Individuals who hold legal parental responsibility
- Intended parents in a surrogacy arrangement (once parental responsibility is confirmed)

### Entitlement

Employees are entitled to **18 weeks of unpaid parental leave per child**. This entitlement applies until the child reaches their 18th birthday. The leave can be taken:

- In blocks of one week or more
- As single days if the child has a disability
- Spread across multiple years, subject to the maximum of **4 weeks per child per year**

Parental leave is granted **per child**, not per family. For example, a parent of twins may take 18 weeks for each child.

### Purpose of Parental Leave

Parental leave is intended to support caring responsibilities and may be used for a wide range of child-related needs, including but not limited to:

- Settling a child into new childcare arrangements
- Attending appointments related to the child's education or health
- Spending more time with the child at key developmental stages
- Supporting a child through illness, transitions, or family circumstances
- Managing unexpected or significant family disruptions

Employees do not need to give a reason beyond stating that the leave is for the child's welfare.

### Notice Requirements

Employees must give **at least 21 days' notice** of their intention to take parental leave. The notification should include:

- The intended start date
- The length of the requested leave
- Confirmation that the leave is being taken for the purpose of caring for the child

Where the leave is connected to childbirth or adoption placement, employees should give notice **21 days before the expected week of childbirth or placement**, whenever reasonably possible.

### Employer Right to Postpone Leave

In limited circumstances, parental leave may be postponed by the employer for up to **6 months**, such as when:

- The absence would cause significant operational disruption
- Multiple employees request leave during a peak period
- The timing would impact service delivery, safety, or staffing levels

Parental leave **cannot** be postponed:

- Immediately after a child is born or placed for adoption
- When the postponement would push the leave beyond the child turning 18
- Where postponement would undermine the health, welfare, or legitimate caring needs of the child

Any postponement must be confirmed in writing within **7 days**, providing alternative dates for the leave.

### **During Parental Leave**

During periods of parental leave:

- The employee retains all statutory employment rights
- Continuous service is maintained
- The employee continues to accrue annual leave
- Pension arrangements follow the rules of the applicable pension scheme
- The employee must not suffer any detriment or disadvantage as a result of taking leave

At the end of parental leave, employees are entitled to return to the **same job**, unless the leave exceeds four weeks in combination with other statutory leave, in which case they may be offered a suitable alternative role on no less favourable terms.

### **Record Keeping**

To ensure fairness and consistency, the Trust may request reasonable evidence of parental responsibility, such as:

- A child's birth certificate
- Adoption matching certificate
- Court documentation granting parental responsibility

The Trust will maintain internal records of parental leave taken in line with data protection requirements.

## **An Daras Adoption Policy**

### **About this policy**

1. This policy sets out the arrangements for adoption leave and pay for employees who are:
  - (a) Adopting a child through a UK adoption agency.
  - (b) Fostering a child with a view to possible adoption.
  - (c) Having a child through a surrogate mother.
2. Adoptions from overseas are not dealt with in this policy but further information is available from Human Resources.
3. Arrangements for time off for adoption appointments are set out in this policy.
4. This policy only applies to employees. It does not apply to agency workers or self-employed contractors.
5. This policy does not form part of any employee's contract of employment and we may amend it at any time. This policy is subject to the terms of your contract of employment.

### **Entitlement to adoption leave**

6. In an adoption case or a fostering for adoption case, you are entitled to adoption leave if all the following conditions are met:
  - (a) You are adopting a child through a UK adoption agency, or you are a local authority foster parent who has been approved as a prospective adopter.
  - (b) The adoption agency or local authority has given you written notice that it has matched you with a child, and tells you the expected placement date.
  - (c) You have told the agency or local authority that you agree to the placement.
7. Adoption leave may be available if you are adopting through an overseas adoption agency. Please contact Human Resources for information on eligibility and process.
8. In a surrogacy case, you are entitled to adoption leave if all the following conditions are met:
  - (a) A surrogate mother gives birth to a child, who is biologically the child of either you, or your spouse or partner (or both of you).
  - (b) You expect to be given parental responsibility under a parental order from the court. The child must live with you and you must apply for the parental order within six months of birth.

9. In either case, only one parent can take adoption leave. If your spouse or partner takes adoption leave with their employer, you may be entitled to paternity leave (see our Paternity Leave Policy). In some cases, you may also qualify for shared parental leave.
10. The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave (**OAL**) and 26 weeks' Additional Adoption Leave (**AAL**).

### **Notification requirements**

11. In an adoption or fostering for adoption case, you must tell us in writing of the expected placement date, and your intended start date for adoption leave. You must give this information not more than seven days after the agency or local authority notifies you in writing that it has matched you with a child, or if that is not reasonably practicable, as soon as you can.
12. Once you receive the matching certificate from the agency or local authority, you must provide us with a copy.
13. In a surrogacy case, you must tell us in writing of your intention to take adoption leave and give the expected week of childbirth (**EWC**). You must give this information by the end of the 15th week before the EWC, or if that is not reasonably practicable, as soon as you can. You must also complete a declaration confirming your entitlement. When the child is born you must tell us the date of birth.
14. We will write to you within 28 days of receiving your notification, to confirm your expected return date assuming you take your full entitlement to adoption leave.

### **Starting adoption leave**

15. In an adoption or fostering for adoption case, OAL may start on a date of your choosing no more than 14 days before the expected placement date, or on the date of placement itself, but no later.
16. If you want to change your intended start date please tell us in writing. You should give as much notice as you can, but wherever possible you must tell us at least 28 days before the original intended start date (or the new start date if you are bringing the date forward). We will write to you within 28 days to tell you your new expected return date.
17. In a surrogacy case, OAL will start on the day the child is born, unless you are at work, in which case it will start on the following day. You cannot change the start date.

### **Adoption pay**

18. Statutory adoption pay (**SAP**) is payable for up to 39 weeks, provided you have at least 26 weeks' continuous employment with us ending with the Qualifying Week (the week in which the adoption agency or local authority notified you of a match, or the 15th week before the EWC) and your average earnings are not less than the lower earnings limit set by the

government each tax year. The first six weeks' SAP are paid at 90% of your average earnings and the remaining 33 weeks are paid at either 90% of your average weekly earnings or at a rate set by the government each year, whichever is lower

### **During adoption leave**

19. All the terms and conditions of your employment remain in force during OAL and AAL, except for the terms relating to pay.
20. Annual leave entitlement will continue to accrue at the rate provided under your contract. If your adoption leave will continue into the next holiday year, any holiday entitlement that is not taken before starting your adoption leave can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. You should try to limit carry over to one week's holiday or less. Carry-over of more than one week is at your manager's discretion. Please discuss your holiday plans with your manager in good time before starting your adoption leave. All holiday dates are subject to approval by your manager.
21. If you are a member of the pension scheme, we shall make employer pension contributions during OAL and any further period of paid adoption leave based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any adoption pay you are receiving, unless you inform Human Resources that you wish to make up any shortfall.

### **Keeping in touch**

22. We may make reasonable contact with you from time to time during your adoption leave, although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.
23. You may work (including attending training) on up to ten "keeping-in-touch" days during your adoption leave. This is not compulsory and must be discussed and agreed with Human Resources.
24. You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any adoption pay entitlement.

### **Returning to work**

25. You must return to work on the expected return date unless you tell us otherwise. If you wish to return to work early, you must give us at least eight weeks' notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the expected return date if you request annual leave or parental leave, which will be at our discretion.
26. You are normally entitled to return to work in the position you held before starting adoption leave, on the same terms of employment. However, if you have taken AAL (or have combined your adoption leave with more than four weeks of parental leave) and it is not

reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

27. If you want to change your hours or other working arrangements on return from adoption leave you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.
28. If you decide you do not want to return to work, you should give notice of resignation in accordance with your contract.

## Reasons for leave with pay

Reason	Teachers	Teachers (not in schools)	Support staff in schools	Support staff (not in schools)
<b>Times of severe weather where you are at risk of being unable to travel home or get to place of work, for example flooding, ice, snow</b>	Permission to leave early or arrive late should not be unreasonably refused, if able to work from home must do so.		Permission to leave early or arrive late should not be unreasonably refused. If able to work from home must do so. Lost hours should be made up if unable to work from home.	
<b>Family Friendly Days (as stated above)</b>	Only 1 working day can be taken at each given time to cover illnesses/emergencies of dependents			
<b>Non-routine medical appointments (as stated above)</b>	Reasonable time off will not normally be more than one or two days. However, the Executive Headteacher/Headteacher/CEO/DCEO will always consider each set of circumstances – extended days could be unpaid			
<b>Illness of a close relative or dependant</b>	Up to one week's paid leave.  Applications for unpaid leave should be addressed in writing to the Headteacher or Executive Headteacher/Headteacher.		Up to 5 working days	
<b>Death or critical illness of a close relative or dependant</b>	Up to 5 working days			

<b>(The Mother &amp; partner of Mother) Miscarriage – compassionate leave</b>	Up to 5 working days	
<b>Funeral of close relative or dependant</b>	1 day	
<b>(The Mother) ante-natal care</b>	The right to paid leave to attend ante-natal care on production of evidence of appointments	
<b>Weddings of close relatives</b>	1 day	
<b>Graduation ceremony – employee’s own partner, child or close relative</b>	1 day	
<b>Sitting examinations relating to professional development</b>	Employees are entitled to be paid leave of absence for the purpose of sitting for examinations concerned with the teacher’s professional development to the benefit of the Academy.	Employees are entitled to paid leave of absence for sitting for approved examinations. Additional leave may be granted for final revision for approved examinations
<b>Jury Service or attendance as a witness in Court proceedings</b>	For the required period subject to employee claiming loss of earnings from the court & paying the Trust back.	
<b>House removal/ Moving House</b>	1 Day	

<b>Screening for breast and cervical cancer</b>	Necessary paid time off will be granted for the purpose of cancer screening			
<b>Potential redundancy</b>	Reasonable time to seek alternative employment			
<b>Magisterial Duties</b>	Minimum attendance requirement including training and membership of a statutory tribunal not exceeding 20 working days a year.	Minimum attendance requirement including training.		
<b>Candidates for Parliamentary Elections</b>	Normally not more than 5 working days	Up to 3 weeks' paid leave of absence during period up to and including polling day.		
<b>For members of another school's Governing Body</b>	Up to a maximum of 4 half-days per annum.			
<b>Attendance as elected members at local authority meetings and properly established committees</b>	Up to 20 days per year or equivalent.		Up to 144 working hours	
<b>For Safety Representatives to perform duties and undertake associated training</b>	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA		Clarify the local agreement	
<b>For officials of Trade Unions to perform I.R. duties/undertake approved training</b>	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA		Authorities shall provide the necessary facilities to Trades Unions including paid leave of absence to carry out their duties. Clarify the local agreement.	

<b>Sports representation as competitor at national/ international level</b>	At the discretion of the Board of Directors or the CEO.	
<b>Election Duties</b>	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.	
<b>Lecturing in professional capacity on condition that all fees to be paid to the Academy</b>	At the discretion of the Board of Directors or the CEO.	At the discretion of the Board of Directors or the CEO up to a maximum of 12 working days
<b>Duties in connection with external examinations</b>	At the discretion of the Board of Directors or the CEO	
<b>Members of non-regular forces – annual training.</b>	1 week (see without pay for 2 <sup>nd</sup> week)	Up to two weeks

**Reasons for leave without pay**

Reason	Teachers	Teachers (not in schools)	Support Staff in Schools	Support staff (not in schools)
<b>Funerals – other than those in “With Pay” section</b>		1 day		
<b>Weddings – Employees own wedding and for those other than relatives first degree</b>	1 day			
<b>Hospital appointments for children where both parents wish to attend (not in the case of critical illness)</b>	1 day			
<b>(The partner) Ante-natal care</b>	Up to two appointments. The companion can take 6.5 hours per appointment, including travelling and waiting time. Any additional time can be requested to CEO/DCEO		Up to two appointments. The companion can take 6.5 hours per appointment, including travelling and waiting time. Any additional time can be requested to CEO/DCEO	
<b>Religious devotion days</b>	1 day			

<p><b>Attendance on courses for personal development not considered beneficial to the Academy.</b></p>	<p>1 day at the discretion of the CEO/DCEO</p>	
<p><b>Court hearings – other than those covered under “With Pay” sections – including divorce proceedings, custody of children, maintenance payments and other Court appearance where teacher is defendant or involved in non-criminal proceedings</b></p>	<p>1 day at the discretion of the CEO/DCEO</p>	
<p><b>Special family flights where spouse is in the armed forces</b></p>	<p>1 day at the discretion of the CEO/DCEO</p>	
<p><b>Delays on return to school caused by industrial disputes eg: travel company, natural disasters</b></p>	<p>1 day at the discretion of the CEO/DCEO</p>	
<p><b>Sporting representations below national level</b></p>	<p>Normally not more than 10 school days in a year. 1 day at the discretion of the CEO/DCEO</p>	
<p><b>Members of non-regular forces – annual training.</b></p>	<p>2<sup>nd</sup> week (after first week paid)</p>	