



## **Windsor Academy Trust** **(Enter Academy details)**

<b>Policy: Maternity and Adoption Leave (Inc miscarriage)</b>	
<b>Responsible Committee:</b>	Windsor Academy Trust, People and Culture Committee
<b>Date approved by the Committee</b>	9 February 2023
<b>Implementation date:</b>	March 2024
<b>Next review date:</b>	March 2025

<b>APPENDICES</b>	
Appendix 1	Summary of leave and pay entitlements
Appendix 2	Application for maternity leave





5.2 Maternity leave cannot begin earlier than the beginning of the 11<sup>th</sup>

## **Part B Adoption Leave**

### **8. General Principles**

- 8.1 Adoption leave is a statutory entitlement for employees who have at least 26 weeks service by the week in which they are notified of being matched with a child/children.
- 8.2 The right to adoption leave entitles employees to take adoption leave when a child is newly placed for adoption and is available to:
- Individuals who adopt;
  - One member of a couple (primary adopter), where a couple adopt jointly.
- The partner of an individual who adopts may be entitled to paternity and/or shared parental leave and pay.
- 8.3 A minimum of two weeks adoption leave must be taken immediately following the placement of the child.
- 8.4 Entitlement to adoption pay is dependent on your length of service and on whether or not the employee returns to work following the adoption leave.
- 8.5 All contractual entitlements, except for remuneration, will continue throughout the adoption leave period. Annual leave entitlement will accrue as normal.
- 8.6 A matching certificate/written notification is issued by the adoption agency, must be sent to the Headteacher/line manager to enable adoption pay to be paid.
- 8.7 If more than one child is adopted as part of the same arrangements, this will be treated as one adoption and will not increase the amount of adoption leave or time off that can be taken.
- 8.8 Adopti



- 11.3 If the employee is unable to return to work due to sickness or injury, this will be treated as sickness absence in accordance with WAT's Sickness Absence Policy.
- 11.4 If the employee wishes to change their working hours upon return, an application must be made in accordance with WAT's Flexible Working Policy. There is no automatic right to an adjustment, but careful consideration will be given on receipt of a request.
- 11.5 If an employee wishes to resign at the end of the requisite period, normal contractual notice is applicable.

## **12. Time off for adoption appointment**

12.1

16.2 Annual leave entitlement will be offset against any period of Academy closure that has taken place during the academic year from September to August. Examples are provided below.

**Scenario 1 – Teacher starting maternity leave October taking 26 weeks**

	Se p	Oct	Nov	Dec	Jan	Feb	Mar	A pr	Ma y	J u n	Jul	Au g
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- 16.6 Term time only staff will have their accrued annual leave entitlement paid to them throughout the period of maternity/adoption leave.
- 16.7 If the employee decides not to return to work following maternity/adoption leave, they will be paid for any outstanding holiday entitlement accrued during maternity/adoption leave. If an employee resigns and has taken more holiday than accrued in the current holiday year, they will be required to repay the equivalent of the excess holiday taken.

**APPENDIX 1**  
**Summary of Leave and Pay Entitlements**

**Maternity Leave**

<b>Length of Service</b>	<b>Length of Absence</b>	<b>Pay</b>
Less than 26 weeks service as at 15 weeks before EWC	Up to 52 weeks	No contractual or statutory maternity pay. Form SMP1 to be provided by payroll provider to apply for statutory maternity allowance.
More than 26 weeks service as at 15 weeks before EWC but less than 1 year as at 11 weeks before EWC	Up to 52 weeks	6 weeks at 90% of average earnings 33 weeks SMP Remainder unpaid
1 year as at 11 weeks before EWC	Up to 52 weeks	<p><b>Teachers</b></p> <p>4 weeks at full pay 2 weeks at 90% of average earnings 12 weeks half pay and lower rate SMP (cannot exceed normal full pay) 21 weeks SMP Remainder unpaid</p> <p><b>Professional Services Staff</b></p> <p>6 weeks at 90% of average earnings 12 weeks half pay and lower rate SMP (cannot exceed normal full pay) 21 weeks SMP Remainder unpaid</p>

**Adoption Leave**

<b>Length of Service</b>	<b>Length of Absence</b>	<b>Pay</b>
At least 26 weeks service but less than 1 year as at the week in which notification of the child being matched is given	Up to 52 weeks	6 weeks at 90% of average earnings 33 weeks SAP Remainder unpaid

1 year as at the week in which notification of the child being matched is given	Up to 52 weeks	<p><b>Teachers</b>  4 weeks at full pay  2 weeks at 90% of average earnings  12 weeks half pay and lower rate SMP (cannot exceed normal full pay)  21 weeks SAP  Remainder unpaid</p> <p><b>Professional Services Staff</b>  6 weeks at 90% of average earnings  12 weeks half pay and lower rate SMP (cannot exceed normal full pay)  21 weeks SAP  Remainder unpaid</p>
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All half pay payments are conditioned on a return to work.

EWC: Expected Week of Childbirth

SMP: Statutory Maternity Pay

SAP: Statutory Adoption Pay

**APPENDIX 2**  
**[ACADEMY LOGO]**  
**APPLICATION FOR MATERNITY LEAVE**

Please complete and return this form to **[insert academy contact]**. **This form should be completed at least 15 weeks before the expected week of childbirth (EWC).**

Full Name: \_\_\_\_\_

Address \_\_\_\_\_

Payroll no: \_\_\_\_\_

Job Title: \_\_\_\_\_

The MATB1 Certificate is: enclosed  to follow

My baby is due in the week beginning: \_\_\_\_\_

I intend to start my maternity leave on: \_\_\_\_\_

Continuous Service Date: \_\_\_\_\_

Continuous Local Government start date: \_\_\_\_\_

If you intend to return to work following maternity leave and have at least 1 years' service by the 11<sup>th</sup> week before your EWC, please complete the following section regarding Occupational Maternity Pay:

It is my intention to return to work for at least 13 weeks and therefore I am applying for 12 weeks at half pay. I accept that if I am unable to return to work for at least 13 weeks, I will have to repay the contractual element of the maternity pay.

You have a choice regarding the payment of Occupation Maternity Pay, please tick one of the options below:

**A. I would like the 12 weeks at half pay paid in full as it becomes due**

**B. I would like the 12 weeks at half pay to be paid when I return to work**



**APPENDIX 3**  
**[ACADEMY LOGO]**  
**KIT DAY CLAIM FORM**

Claim for Month:	
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**Employee Details** (Please print clearly)

Full Name:	
Current Payroll No:	
Number of days already claimed:	

Date	Hours worked	Reason