



ATLAS Multi Academy Trust

SHARED PARENTAL LEAVE POLICY

Trust sub-committee: Standards Committee

Co-ordinator: ATLAS Executive Team

Last Reviewed: Spring 2021

Next Review: Spring 2023

St Albans Girls' School : Beech Hyde Primary School and Nursery : The Adeyfield Academy

Signed by:
Margaret Chapman
Executive Head Teacher

Signed by:
Rachael Kenningham
Chair of ATLAS Board of Directors

1.	KEY POINTS
	<p>This policy and procedure outlines the statutory right to take Shared Parental Leave and Shared Parental Pay to care for a child due to be born or placed for adoption on or after 5th April 2015. The following legislation applies to this policy:</p> <ul style="list-style-type: none"> • the Shared Parental Leave Regulations 2014 • the Shared Parental Pay (General) Regulations 2014 • the Maternity and Adoption Leave (curtailment of statutory rights to leave) Regulations 2014 • Employment Rights Act 1996 (Chapter 1B, section 75E to 75K) • Children and Families Act 2014 • Equality Act 2010
2.	INTRODUCTION
	<p>Shared Parental Leave (SPL) is an additional type of family leave that enables eligible employees to choose how they share the care of their child during the first year of birth or adoption. Parents taking SPL will have the opportunity to share up to 50 weeks' leave should they wish to do so as well as 37 weeks' Shared Parental Pay (ShPP). Employees will still have the option of requesting other types of family leave including statutory maternity, adoption and ordinary paternity leave.</p>
3.	SCOPE
	<p>This policy applies to all employees of the Trust who meet the eligibility criteria. It does not apply to agency workers or self-employed contractors.</p> <p>This policy does not form part of any employee's contract of employment and we may amend it at any time.</p>

4.	POLICY
	<p>Eligible employees can choose to access the SPL system if the mother/joint adopter brings their maternity/adoption leave and pay to an end early. They can do this by returning to work before the full entitlement of 52 weeks has been taken, or they may give notice to curtail (reduce) their leave at a specified future date.</p> <p>The other parent does not have to work for ATLAS but they must satisfy the minimum employment and earnings criteria.</p>
4.1	ELIGIBILITY CRITERIA
	<p>To be entitled to SPL employees must:</p> <ul style="list-style-type: none"> • be either the mother, father, or joint adopter of the child, or the partner of the mother or joint adopter (for ease of reference the partner/father of the child will be referred to as the other parent). • have (or share with the other parent) the responsibility for the care of the child at the time of the birth/placement for adoption • have at least 26 weeks' continuous service at the 15th week before the Expected Week of Childbirth (EWC)/matching date • be working for the school in the week before any SPL is due to start • the mother/joint adopter of the child must be/have been entitled to statutory maternity/adoption leave or entitled to statutory maternity/adoption pay or maternity allowance • have ended or given notice to curtail any maternity/adoption entitlements • notified the organisation of their entitlement and provided additional evidence if requested to do so <p>In addition, the other parent must:</p> <ul style="list-style-type: none"> • have at least 26 weeks' employment (employed or self-employed) out of the 66 weeks before the EWC/matching date • have average weekly earnings of at least £30 (this figure may change annually) during at least 13 of the 66 weeks leading up to the EWC/matching date. <p>A partner is someone who lives with the mother or joint adopter and the child in an enduring family relationship, excluding the mother or joint adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.</p> <p>If both parents qualify for shared parental leave they can choose the following options:</p> <ul style="list-style-type: none"> • take leave at the same time • the mother/joint adopter could return to work and allow the other parent to take the balance of their leave • take turns in using the leave
4.2	ENTITLED TO SHARED PARENTAL PAY (ShPP)
	<p>In addition to the eligibility criteria outlined above, if employees wish to claim shared parental pay (ShPP) they must meet the following criteria:</p> <ul style="list-style-type: none"> • have average weekly earnings equal to or above the Lower Earnings Limit in the 8 weeks before the 15th week before the EWC/matching date • the mother / adopter must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have curtailed their maternity/adoption or maternity allowance pay period

	<ul style="list-style-type: none"> • intend to care for the child during the week in which ShPP is payable • remain in continuous employment until the first week of ShPP has begun • have provided the correct notification in accordance with the rules set out below <p>ShPP is a statutory weekly rate which is set by government each tax year (currently £138.18-rising to £140.98 from 02/04/17---01/04/18) or 90% of the employee’s normal weekly earnings if this is lower). Unlike Statutory Maternity Pay (SMP), there is no provision for employees to be paid 90% of their earnings for the first six weeks of statutory ShPP. Therefore, if an employee is receiving SMP at the higher rate of 90% of her earnings and switches to ShPP within the first six weeks of her SMP period, she will move to the lower rate of pay.</p> <p>The total amount of Statutory ShPP is 39 weeks. As two weeks compulsory leave must be taken by the mother/joint adopter, which will be paid at SMP or Statutory Adoption Pay (SAP), in practice a maximum of 37 weeks’ statutory ShPP is payable. This will be reduced by the number of weeks’ statutory maternity/adoption pay or maternity allowance already taken by the mother or joint adopter. Any entitlement to claim statutory ShPP requires the employee to be absent from work during each week that ShPP is paid to them, except in certain circumstances such as using “Shared Parental Leave in Touch (SPLIT)” days. Payment for such SPLIT days includes payment for any statutory entitlement and does not extend the ShPP period.</p>
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5. USING SPL and Terms and Conditions

	<p>SPL is only available if the mother/joint adopter curtails their maternity/adoption leave before using their full entitlement of 52 weeks. After the birth/placement of a child, it is compulsory to take at least two weeks’ maternity/adoption leave, which may not be shared with the other parent. In terms of adoption, SPL cannot begin until two weeks after the start of statutory adoption leave. Therefore, in the majority of cases eligible parents will have the opportunity to share 50 weeks’ of SPL.</p> <p>The number of weeks available as SPL will be reduced by the number of weeks’ maternity or adoption leave that has already been taken by the mother or joint adopter (or the number of weeks’ statutory maternity/adoption pay or maternity allowance already taken if the mother or joint adopter is not entitled to statutory maternity/adoption leave). For example, the mother could take 6 weeks’ maternity leave then end her maternity leave early by returning to work. The remaining maternity leave (46 weeks) would be converted to SPL and available for the other parent to take.</p> <p>SPL must be taken in blocks of at least one week and used within one year beginning with the date of the baby’s birth or the child’s placement for adoption.</p> <p>Paternity leave can be taken by the biological father of the child or the mother’s husband or partner (including same sex relationships). The entitlement to take up to two weeks’ ordinary paternity leave in a single block, within eight weeks following the birth or adoption of a child, will still be available. This can be taken at the same time as the mother is on SPL. Once the other parent takes SPL the right to ordinary paternity leave is lost.</p> <p>Employees can choose to take SPL as:</p> <ul style="list-style-type: none"> • one continuous block or • in multiples of complete weeks <p>SPL may begin on any day of the week for example, starting on a Tuesday and ending the following Monday. Employees are entitled to three periods of SPL; their original notification and two additional requests, which includes requests to vary a period of leave that has already been arranged.</p>
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	5.1	Multiple births / adoptions
		An employee is not entitled to extra SPL or ShPP if they are expecting more than one child. The entitlements are, like maternity leave, the same as if the employee was expecting one child. This also applies to multiple adoptions that occur in a single placement.
	5.2	Continuous leave
		A notification for continuous leave must be taken as a single block of leave in consecutive weeks (for example, six weeks in a row). An employee has the right to take a continuous block of leave notified in a single notification so long as it does not exceed the total number of weeks of SPL available to them.
	5.3	Discontinuous leave
		A notification for leave may involve requesting two or more periods of leave that includes breaks between the leave where the employee returns to work. In general, a period of leave notification should set out a single continuous block of leave but all requests for discontinuous leave will be considered on a case by case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL. For further details on how to apply for SPL, please refer to the Procedure in Section 6.
	5.4	Variations to agreed periods of SPL
		Employees are entitled to vary a period of leave provided that they have informed the Head Teacher in writing at least eight weeks before the start date. If the request is to vary leave already booked the new start date cannot be sooner than eight weeks from the date of the variation request. Such requests will usually count as a new notification reducing the employee's right to book/vary a period of SPL by one. For further details on how to vary SPL, please refer to the Procedure in Section 6.
	5.6	Contractual benefits
		An employee remains employed by the school whilst on SPL. With the exception of salary (which is replaced by the pay provisions outlined in this policy) employees remain entitled to all contractual benefits including: <ul style="list-style-type: none"> • Annual leave entitlements • Employer pension contributions
	5.7	Holidays
		Employees using SPL will continue to accrue their contractual holiday entitlements. Before an employee starts SPL, the Head Teacher, or line manager where appropriate, should discuss appropriate arrangements for taking any holiday entitlements.
	5.8	Returning from SPL
		Employees returning to work immediately after a period of SPL which was 26 weeks or less (including any statutory maternity/adoption leave they may have taken to care for the same child) are entitled to return to work in the same job that they left.

	<p>Employees returning to work from a period of SPL which was 26 weeks or more (including any maternity/ adoption leave they may have taken to care for the same child) will normally be entitled to return to the job in which they were employed before any absences. If that is not reasonably practicable for the school, then employees will return to another job which is both suitable and appropriate in the circumstances.</p> <p>Where the employee's post is at risk due to an organisational change, employees will be informed under the provisions of the restructure and reductions in staffing guidance.</p>
6.	PROCEDURE
6.1	Notification requirements
	<p>The notification requirements for SPL and ShPP are very specific and detailed. Therefore, employees must follow the requirements as detailed below.</p>
6.2	Notice of intention to take SPL and curtail maternity/adoption leave and pay
	<p>All employees of the school who wish to take SPL must complete and submit a <u>Notice of intention to take Shared Parental Leave</u> form to their Head Teacher, 8 weeks' prior to taking a period of SPL.</p> <p>If the mother/joint adopter works for the school they must complete Part 3 of the Notice of intention to take SPL form giving 8 weeks' notice of the date on which their maternity/adoption leave and pay is to end (or the date on which maternity/adoption pay is to end if s/he is not entitled to maternity/adoption leave). If the mother is only entitled to maternity allowance her notice of curtailment must be submitted to Jobcentre Plus.</p> <p>Notice of curtailing maternity/adoption leave is usually binding, but may be revoked before the curtailment date in the following circumstances:</p> <ul style="list-style-type: none"> • if neither parent is entitled to SPL or ShPP • if the curtailment notice was given before the birth and is revoked within six weeks of the birth or 8 weeks after submitting the request (whichever is later). In this situation another curtailment notice can be submitted • if one parent dies <p>Employees are required to provide the following information within their notification of intention to take SPL form:</p> <ul style="list-style-type: none"> • their name and the other parent's full name • the start and end dates of the mother's or joint adopter's maternity/adoption leave (or the start and end dates of the statutory maternity/adoption pay or maternity allowance period if the mother/joint adopter is not entitled to statutory leave) • the expected date of birth/placement and the actual date of birth/placement (if the written notice is given after the birth/placement) • the amount of SPL and ShPP available and an indication of how much each parent intends to take • an indication of the start and end dates of the periods of SPL and ShPP that they intend to take • a signed declaration that they meet the eligibility conditions and are entitled to SPL, the information provided is accurate and they will notify the school immediately if they cease to meet the conditions for entitlement <p>The employee must also ensure the other parent completes a signed declaration (Part 6 of the Notice of intention to take SPL form) confirming:</p>

	<ul style="list-style-type: none"> • his or her name, address and National Insurance number • their relationship to the child • that s/he meets the eligibility criteria and had at the date of the child’s birth or placement for adoption the main responsibility for the child, along with the employee • that they consent to the amount of SPL/ShPP that the employee intends to take • they will immediately inform their partner should they cease to satisfy the eligibility conditions
7.	SUPPORTING DOCUMENTS
	<p>Employees will need to supply one of the following documents with their notice of intention to take SPL form:</p> <ul style="list-style-type: none"> • a copy of the child’s birth certificate or where one has not been issued, a declaration confirming the time and place of birth • in cases of adoption, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption • in surrogacy situations, intended parents will be issued with a Parental Order <p>In cases where the child is not yet born this information must be provided as soon as reasonably practicable after the birth but before the employee wishes to take a specific period of SPL and ShPP.</p>
7.1	Requesting further evidence of eligibility
	<p>ATLAS may also request the name and business address of the other parent’s employer. Any such request will be made by the Head Teacher/ Principal as appropriate within 14 days of receiving the employee’s notice of intention to take SPL form. Employees’ must respond to the request for evidence within 14 days (or within 14 days of the birth of the baby if the request was made before the child was born). If the other parent is not employed, this must also be declared.</p>
7.2	Notice to take a specific period of SPL and ShPP
	<p>When completing the notice of intention to take shared parental leave form employees have the option to provide dates for SPL and make them binding. If they do so employees are entitled to submit a maximum of two further notifications. The employee must complete a <u>Notice of Intention to take Shared Parental Leave</u> form prior to taking any periods of SPL. Each form must be submitted at least eight weeks before the start of a period of leave, stating the dates of the leave and the dates on which ShPP will be claimed, if applicable.</p> <p>If the first notification is given prior to the birth of a child, the notice may express the start date in relation to the date of birth, for example ‘starting two weeks after the baby is born for a period of four weeks’.</p>
8.	CONFIRMATION OF SPL
	<p>If a continuous period of leave is requested in each notification for SPL, employees will be entitled to take that period of leave and this will be confirmed in writing.</p>

	<p>If more than one period of leave is requested in a single notification, the school will seek to accommodate the request but this cannot be guaranteed. The head Teacher, or line manager as appropriate, will discuss the request with the employee to determine if it can be accommodated. If no agreement is reached within two weeks of the notice being submitted and the request is refused employees can:</p> <ul style="list-style-type: none"> • take the discontinuous periods of leave requested in one continuous block, beginning on the original start date • take the continuous block starting on a new date, as long as the new date is no sooner than eight weeks from the date of the original notification and the Head Teacher is notified of the new date within five days of the end of the two week period • withdraw the notice on or before the 15th day after the notice was submitted (in which case it will not be counted as one of the three period of leave notices) <p>The head Teacher's/principal's decision will be confirmed in writing.</p>
9.	VARYING A PERIOD OF LEAVE
	<p>Employees are entitled to submit a request to vary a period of leave in the following ways:</p> <ul style="list-style-type: none"> • vary the start or end date as long as the variation is requested at least eight weeks' before the original start date and the new start date • vary or cancel the amount of leave requested at least eight weeks' before the original start date • request that a single period of leave become a discontinuous period of leave, or vice versa. <p>Where the variation is to take a continuous period of SPL employees will be entitled to do so. Where the variation is to take a discontinuous period of SPL the school has a two week period to consider the request. If the request is refused employees can take the leave as a continuous block, on the original date or a new date or withdraw the notice as long as the time limits set out above are met.</p> <p>A variation will count as one of the three periods of leave notices unless:</p> <ul style="list-style-type: none"> • it is made as a result of the child being born earlier or later than the expected week of childbirth • a notice requesting discontinuous leave is withdrawn by the employee on or before the 15th day after the notice was submitted • the Head Teacher/Principal has requested the variation <p>Requests to vary a period of leave must be submitted on the <u>Notice to cancel or vary a period of shared parental leave form</u>.</p>
10.	KEEPING IN TOUCH DURING SPL
	<p>Employees may be asked to attend work on occasional days during their SPL period. These days could be for training or to attend departmental meetings. These are known as "Shared Parental Leave in Touch" (SPLIT) days. Employees may work for up to 20 days without bringing their SPL to an end, but work during SPL will not have the effect of extending either the SPL or ShPP. If an employee does any work, they will be paid their normal rate of pay inclusive of any statutory ShPP entitlement. Employees are under no obligation to work during SPL and the school is under no obligation to offer work.</p> <p>The 20 SPLIT days available during SPL are in addition to the 10 KIT days available to the mother/joint adopter during maternity and adoption leave.</p>

Please refer to Appendix 2 for further guidance.

In certain situations an employee's rights and entitlements regarding SPL and ShPP may change. For example, if the baby is born before the EWC or the partner is no longer caring for the child. In these circumstances, the employee and/or their Head Teacher should contact Serco Payroll and HR Transactions, or alternative provider, for further guidance.

Appendix 1

PART 1 – Personal Details									
Employee First Name	Employee Surname	Personnel Number (Payroll No.)							
School Name	Job Title	National Insurance Number							
Head Teacher/Principal Name									

PART 2 – Maternity/ Adoption Leave Details	
Expected week of childbirth or date of adoption placement	
Child's actual date of birth/date of placement for adoption (if known)	
Start date of mother/main adopter's maternity/adoption leave (or pay period*)	
End date of mother/main adopter's maternity/adoption leave (or pay period*)	

* the start and end dates of the statutory maternity/adoption pay or maternity allowance period if the mother/main adopter is not entitled to statutory leave

Part 3 - Employee notice of curtailment of maternity/adoption leave
<p>Complete this section if you are the mother or main adopter and the employee named in Part 1 of this notice.</p> <p>You must give at least <u>eight weeks' notice</u> of your curtailment date. The curtailment date of your maternity/adoption leave must be at least two weeks after the birth of your child or after taking the first two weeks of ordinary adoption leave.</p> <p>I wish my maternity/adoption leave to end on(insert date)</p> <p>Please note that this date is binding and normally can only be revoked under special circumstances.</p>

PART 4a – Shared Parental Leave Details

The total amount available is 52 weeks minus the number of weeks' leave/pay already taken by the mother/main adopter according to the dates given in Part 2.

Total number of weeks' SPL available	
Number of weeks' SPL you intend to take	
Number of weeks' SPL the other parent intends to take	
Indication of start and end dates of SPL that you intend to take. This indication can be non-binding and does not need to be authorised by your line manager unless you complete Section 2 of this form.	

Part 4b – Shared Parental Pay Details

The total amount of shared parental pay (ShPP) which may be available is 39 weeks minus the number of weeks' pay already taken by the mother/main adopter according to the dates given in Part 2.

Total number of weeks' ShPP available	
Number of weeks' ShPP you intend to claim	
Number of weeks' ShPP the other parent intends to claim	
Indication of start and end dates of your ShPP periods	

Part 4c – Supporting Document

Please tick one of the boxes below

1. A copy of the child's birth certificate or where one has not been issued, a declaration confirming the time and place of birth
2. Documentary evidence of the name and address of the adoption agency, the date you were notified of having been matched with the child or the matching certificate
3. A Parental Order
4. I intend to supply one of the above documents when I submit Section 2 of this form

Part 5 – Employee declaration

I confirm that I meet the following conditions:

- I am either the mother, father, or main adopter of the child, or the partner of the mother or main adopter
- I have (or share with the other parent) the main responsibility for the care of the child and I am taking SPL in order to care for the child
- I have at least 26 weeks' continuous service at the 15th week before the expected week of birth or at the week in which I was notified of having been matched for adoption with the child (known as the 'relevant week')
- I intend to be in continuous employment until the week before any SPL is taken
- (If I am claiming shared parental pay) I have average weekly earnings equal to or above the Lower Earnings Limit over the eight week period ending with the relevant week
- I agree to inform the school immediately if I cease to meet the conditions for entitlement to SPL or ShPP or the decision to curtail maternity/adoption leave is revoked.

(mother /main adopter only)

- I have also submitted a curtailment of maternity/adoption leave notice by completing Part 3 of this form.

I understand that providing false information will be dealt with as misconduct under the disciplinary policy.

Signature:

Date:

Part 6a – Declaration of the other parent

I confirm that I meet the following conditions:

- I satisfy the employment and earnings test that allows my partner to access SPL
- I am either the mother, father, or main adopter of the child, or the partner of the mother or main adopter
- I agree to inform my partner immediately if I cease to meet the condition above
- Together with my partner I have the main responsibility for care of the child
- I consent to my partner taking SPL and ShPP as set out in Parts 4a and 4b above.
- I consent to you processing the information contained below in Part 6b.

If you are the other parent and also the mother/main adopter:

- I have curtailed my maternity leave and pay / adoption leave and pay / maternity allowance*(delete as applicable) or will have done so by the time my partner starts SPL.
- I will immediately inform my partner if I decide to revoke my decision to curtail my maternity or adoption leave/pay entitlements.

Part 6b – Personal details of the other parent

Name	
Home Address	
National Insurance Number	
Do you work for ATLAS	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide your payroll number:

Signature:

Date:

Part 7 – Head Teacher/Principal (or Chair in the case of the head Teacher/Principal) to complete

Head Teachers/Principals must review and discuss requests for shared parental leave with their employees.

I confirm that I have met and discussed with my employee their intentions to take Shared Parental Leave.

Line Manager's Name:

Signature:

Date:

Section 2

Formal Notice to take a period of shared parental leave

Employees must use this section of Form 1 to give formal notice that they wish to take a period of shared parental leave (and pay if applicable), giving at least eight weeks' notice before the start date of the leave. You may submit up to three notices (the original notification and two further notifications or variations). However, you must have previously submitted the notice of intention to take shared parental leave form and had your eligibility for shared parental leave confirmed.

Employee's Name:
Employee's Payroll Number:

Shared Parental Leave dates:

Start date	End date	Number of weeks

Shared Parental Pay (ShPP) dates (if applicable):

Start date	End date	Number of weeks Statutory ShPP

Additional Information

Please select one of the following options if the supporting document was not provided with Section 1 of the form.

1. A copy of the child's birth certificate or where one has not been issued, a declaration confirming the time and place of birth
2. Documentary evidence of the name and address of the adoption agency, the date you were notified of having been matched with the child or the matching certificate
3. A Parental Order

Employee's Declaration

I confirm that I meet the following conditions:

- I am either the mother, father, or main adopter of the child, or the partner of the mother or main adopter
- I have (or share with the other parent) the main responsibility for the care of the child and I am taking SPL in order to care for the child

- I have at least 26 weeks' continuous service at the 15th week before the expected week of birth or at the week in which I was notified of having been matched for adoption with the child (known as the 'relevant week')
- I intend to be in continuous employment until the week before any SPL is taken
- (If I am claiming shared parental pay) I have average weekly earnings equal to or above the Lower Earnings Limit over the eight week period ending with the relevant week
- I agree to inform the school immediately if I cease to meet the conditions for entitlement to SPL or ShPP or the decision to curtail maternity/adoption leave is revoked

Signature:

Date:

Other Parent's Declaration

I consent to my partner taking SPL and ShPP as detailed above

Name:

Signature:

Date:

Please submit this form to your Head Teacher/Principal (or Chair in the case of the Head Teacher/Principal)

I approve the formal dates as requested in Section 2 of this form **OR** I have refused the dates requested in Section 2 of this form* [***delete as applicable**]

Head Teacher's/Principal's Name:

Signature:

Date

Form 2: Notice to cancel or vary a period of shared parental leave

Please complete and return this form to your Head Teacher/Principal

If you are requesting a variation in shared parental pay (ShPP) the other parent must also sign this form to signify consent to the variation.

Use this form to cancel or vary a period of shared parental leave (and pay if applicable) as follows:

1. Vary the start or end date of a period of leave/pay, giving at least 8 weeks’ notice before both the new date and the original date
2. Vary or cancel the amount of leave requested, giving at least 8 weeks’ notice before the leave is due to start
3. Request that a discontinuous period of leave become a single period, or vice versa

A variation will count as one of your three periods of leave notices unless:

- it is made as a result of the child being born earlier or later than the expected week of childbirth
- a notice requesting discontinuous leave is withdrawn by the employee on or before the 15th day after the notice was submitted
- your Head Teacher/Principal or Chair of Governors (in the case of the Head/Principal) has requested the variation

Part 1 – Personal Details	
Employee’s Name	
Employee’s Payroll Number	
Name of the other parent	
If the other parent also works for ATLAS please provide your payroll number	

Part 2 – Original shared parental leave dates to be varied or cancelled		
Start date	End date	Number of weeks

Part 3 – New shared parental leave dates		
Start date	End date	Number of weeks

Appendix 2

Keeping in Touch Days Guidance

Introduction

There are 10 optional keeping in touch days available to staff on maternity or adoption leave (known as KIT days). Staff taking shared parental leave are also entitled to 20 keeping in touch days each (known as SPLIT days).

KIT and SPLIT days provide the opportunity for staff to undertake a limited amount of work and training without affecting their statutory pay. This may help ease an eventual return to work and benefit both parties.

For the purposes of this guidance any reference to keeping in touch days (KIT days) shall refer to both KIT and SPLIT days, unless stated otherwise.

What arrangements do I need to make?

It is good practice for managers to hold pre-maternity-leave meetings with employees to discuss matters such as the amount and type of contact that they would like during their leave and whether they want to undertake any work during their leave.

A manager may wish to make some provisional arrangements for work to be undertaken during the leave period, for example asking if the employee would like to come into work for specific meetings, or company events or training courses. Alternatively, keeping-in-touch days can be arranged at a later date, for example some days in the office could be agreed closer to the employee's return to work. Managers should seek to be flexible about the timing of KIT days, as the employee may need some flexibility to make suitable child care and travel arrangements.

An employer may need to consider what practical arrangements need to be made to enable an employee to work during their leave. For example, if maternity leave is being covered by a maternity locum, another workstation may be required.

Managers should check with their employee whether they will need access to breastfeeding/expressing facilities.

How can I make good use of the employee's time on a KIT day?

In order for both parties to get the most out of a KIT day it is good practice to agree in advance how the employee's time will be spent on the day. Keeping-in-touch days are useful for:

- Updating or refreshing the employee's knowledge and skills, if she is invited to training sessions and continuous professional development events;
- Engaging the employee in major organisational change discussions, if she is invited to meetings or other forums in which such issues are discussed;
- Finalising the employee's return-to-work plan;
- Ensuring that the employee is up to speed with any changes in standard operating procedures, policies and practices or new ways of working; and

- Maintaining or re-establishing the employee's relationships with key clients and colleagues; and
- The KIT day location is on site of the usual place of work

Does an employee get paid for a KIT day?

The relevant legislation does not specify how employers should deal with contractual pay for an employee who works a KIT day whilst receiving statutory pay. The Trust's policy is as follows:

- If an employee is receiving full contractual maternity pay at the time they work a KIT day they will continue to receive their normal pay for that work – they will not receive any additional pay for the KIT day.
- If the employee is receiving statutory pay at the time they work a KIT day the Trust will top up their statutory pay so that the employee receives a normal day's pay for the KIT day.
- If the employee is on unpaid maternity leave, they will receive their normal pay for the KIT day.

How to request an employee is paid for a KIT day

To get paid for the KIT day, the employee needs to complete the relevant form which can be collected from the HR Department.

When can an employee work a KIT day?

KIT days can only be taken where both the employee and the manager agree that it would be beneficial; neither party can insist that KIT days are worked. There are no restrictions on when KIT days can be used although maternity leave regulations prohibit any work for two weeks after childbirth. KIT days can be taken in a block or separately, as agreed between the employee and their manager.

Can KIT days be taken as half days?

In theory yes, but payment for the day is not pro-rated so the expectation is that the employee works their normal hours for the day. A partial KIT day worked still counts as one full day in terms of the total number of KIT days available to the employee.

Are the number of KIT days pro-rated for part-time employees?

The number of keeping in touch days available for part-time employees are not pro-rated. For example, an employee who normally works only a three day week is still entitled to ten keeping in touch days.