



# Tudor Grange Academies Trust

## Staff Maternity Policy

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October 2020	1.0	
04.03.2022	1.1	Update of forms

## Preface

Looking forward to and looking after a new baby is a busy and exciting time. This Policy aims to guide you through your entitlements and responsibilities, in respect of the maternity leave you are entitled to, the maternity pay that you may be entitled to, Keeping In Touch (KIT) days and your return to work.

The maternity scheme applies to all pregnant employees, regardless of the number of hours worked per week, and is applicable to those with an Expected Week of Childbirth (EWC) on or after 1 September 2020.

Nothing in this guidance shall be construed as providing less favourable terms than statutory rights; it is in line with the NJC (National Joint Council) Green Book for non-teaching staff, and the National Maternity Scheme set out in the Conditions of Service for School Teachers in England and Wales (the Burgundy Book, revised edition).

The guidance directs employees to the respective rights that are applicable to them and will ensure that no woman receives less favourable treatment on the grounds of being pregnant, during maternity leave or on return to work as a new mother.

The Academy Office will always be happy to help with any particular questions or queries you may have, and Professional and Trade Associations are also able to offer support and information.

The latest information with regard to the current rate of Statutory Maternity Pay, Maternity Allowance, the Lower Earnings Limit and Maternity Rights can also be accessed at [www.direct.gov.uk](http://www.direct.gov.uk)

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## SECTION 1 MATERNITY DEFINITIONS

The following outlines some of the terms that are used in this document:

<b>EWC</b>	Expected Week of Childbirth. This is the expected week the baby will be born.
<b>OML</b>	Ordinary Maternity Leave. The first 26 weeks of Maternity Leave (weeks 1-26)
<b>AML</b>	Additional Maternity Leave. The second 26 weeks of Maternity Leave (weeks 27-52)
<b>SMP</b>	Statutory Maternity Pay- this amount is set annually by the Government.
<b>SSP</b>	Statutory Sick Pay.
<b>OMP</b>	Occupational Maternity Pay
<b>LEL</b>	Lower Earnings Limit
<b>KIT Day</b>	Keeping In Touch day
<b>MATB1 form</b>	A Maternity certificate issued from your midwife or medical practitioner confirming that you are pregnant and your EWC. This is usually issued around the 20 <sup>th</sup> week before EWC.
<b>Principal</b>	Where this term is used it also applies to Heads of School or any other name used to denote the senior leader in a school
<b>Job</b>	The nature of the work which you are employed to do and the capacity and place in which you are employed.
<b>Childbirth</b>	Childbirth means the birth of a living child, or the birth of a child whether living or dead after 24 weeks of pregnancy.
<b>Average Weekly Pay</b>	The amount payable to you under your current contract of employment. If there are significant variations in your salary, your average salary over the 12 weeks prior to the start of your maternity leave will be treated as a week's salary.
<b>Qualifying week</b>	15 <sup>th</sup> week before the Expected Week of Childbirth
<b>SMP1 form</b>	Issued by Trust payroll provider if you are not entitled to SMP and for you to take to your local Job Centre Plus

## SECTION 2 NOTIFICATION OF PREGNANCY

### FROM YOU

You are encouraged to notify your line manager and the Principal about your pregnancy, as soon as possible, but no later than the qualifying week (which is the 15<sup>th</sup> week before the Expected Week of Childbirth). This will allow you to establish what financial support you are entitled to and enable a risk assessment to be carried out to protect the health, safety and welfare of you and your unborn child.

The Academy also requires the following information and documents, otherwise your SMP (Statutory Maternity Pay) will be affected:-

- An **original** MATB1 form.

Please note if your partner or spouse who will also have responsibility for bringing up your child intends to take Paternity Leave or Shared Parental Leave, you may wish to retain a photocopy of your MATB1, as the original must be taken in order for SMP to be paid.

- A completed Application for Maternity Leave and Pay **at least 28 days** before you wish to start your maternity leave.

The form for support staff can be found in Appendix 2, whilst the form for teaching staff can be found in appendix 4.

You will notice that the form asks about your choice of option with regards to the occupational maternity pay scheme. This is a scheme in which the Academy pays an additional 12 weeks at half pay on top of the statutory scheme. Section 5 of this booklet explains this further and outlines the conditions that apply.

**Please give your completed application form and original MATB1 to the Principals' PA who will forward them onto the Academy's HR and payroll provider.**

If you have chosen a maternity leave start date, but then you wish to change your mind, please let the Academy know at least 28 days before the revised start date or 28 days before the original date that you chose, whichever of these two dates is the earlier.

### FROM US

Within 28 days of receiving your Maternity application form you will receive notification confirming your expected return date; this date will be 52 weeks from your maternity leave start date.

## SECTION 3 ANTE-NATAL CONSIDERATIONS

### Time off for ante-natal care

You have the right to reasonable paid time off for ante-natal care. Other than in the case of your first appointment, you must produce evidence of the appointments, if requested by your line manager or the Principal. You should give your line manager, and where appropriate, cover supervisor, as much notice as possible of the appointments and try to arrange them as near to the start or end of the working day as you can.

## **Health and safety**

Pregnant employees must be given specific health and safety protection under UK Health and Safety Legislation. The main provisions are set out below.

Risk Assessment:

Employers must assess all workplaces for risks to the health and safety of their employees and others affected by their work activities. In particular, they must consider if there are specific or enhanced risks for new and expectant mothers who are defined as “an employee who is pregnant, who has given birth or miscarried within the previous six months, or who is breast feeding”. Such risks would include exposure to certain harmful substances or microbial agents/infectious diseases; extremes of heat and cold; noise; movement and posture; lifting/handling loads; and potential exposure to violence (including verbal abuse). This risk assessment should be regularly reviewed.

Where an unacceptable risk is identified the employer must take any protective or preventative measures required by other health and safety legislation to remove it. See <http://www.hse.gov.uk/risk/resources.htm> for risk assessment form templates. Where this would not prevent the employee from being at risk, a hierarchy of measures should be followed:

If it is reasonable to do so, working conditions or hours of work should be altered to avoid (or minimise) the risk;

If this is not possible, or the risk cannot be avoided by this, the employee should be offered suitable alternative employment on existing, or not substantially less favourable, terms and conditions; If no suitable alternative work is available, the employee should be given leave of absence with full pay. If the employee refuses an offer of suitable alternative work, the leave may reasonably be unpaid.

These provisions apply from the time the Academy receives written notification that the employee is pregnant until 6 months after the date of childbirth, or until the employee stops breast feeding if she continues to do so beyond this six-month period. The paid leave of absence provisions will not apply during the maternity leave period. The employee will receive whatever maternity pay she is entitled to as normal.

## **Pregnancy Related Illness and Miscarriage**

If you are absent because of a pregnancy related illness, including a miscarriage which has happened before 24 weeks pregnancy, this will be treated as sickness absence which falls within the Sickness Absence Management policy; absence of 8 calendar days or more will need to be covered by a Doctor’s note.

If, after the beginning of the 4<sup>th</sup> week before the EWC, you are sick for a **pregnancy related reason**, then your maternity leave and pay will usually start automatically. If this is the case, you should notify the Academy in writing of this as soon as you can.

## **SECTION 4 MATERNITY LEAVE CONSIDERATIONS – ALL EMPLOYEES**

You are entitled to 52 weeks Maternity Leave regardless of your length of service. Maternity leave is not treated as sick leave and will count towards your continuous service with Tudor Grange Academy Trust. All new mothers must take 2 weeks maternity leave following the birth of their child.

## **Maternity leave**

The earliest you can start your maternity leave is 11 weeks before the EWC but you have the option to decide on your maternity leave start date, which can begin on any day of the week. SMP will start on that day.

If your baby is born **before** your chosen maternity leave date, your maternity leave and SMP will automatically start on the day after childbirth. You will need to notify the Academy in writing as soon as is reasonably practicable to ensure that your pay will be accurate.

### **Premature birth**

If your baby is born alive before 24 weeks of the pregnancy, the day after the childbirth will be the first day of the maternity leave. Even in the unfortunate situation where the baby subsequently does not survive, maternity leave including maternity pay will still apply as a live birth did take place, even though it was before 24 weeks. You will need to let the Academy know of this as soon as is reasonably practicable.

### **Stillbirth**

We recognise that the situation of stillbirth is upsetting for all those involved and if your baby is stillborn after 24 weeks of pregnancy, your maternity leave will begin on the day following the childbirth. You may also be entitled to statutory parental bereavement leave and pay. If, however, your child is stillborn within the first 24 weeks of your pregnancy, you will not be entitled to maternity leave. In these circumstances normal sickness absence management will apply (please see the Academy's Sickness Absence Management Policy).

### **Late births**

If your baby is born after the EWC, your statutory maternity pay would start on the first day of your maternity leave.

### **Parental leave**

There is an opportunity, dependant on your length of service, for you to take advantage of the right to unpaid parental leave of up to 4 weeks at the end of your maternity leave; the Parental Leave Policy is available from the Academy office.

## **SECTION 5 ANNUAL LEAVE CONSIDERATIONS – CONTRACT SPECIFIC**

### **Annual leave – Support Staff employed on full year contracts (NOT term time)**

Annual leave will continue to accrue throughout the whole of your Maternity Leave. Bank Holidays are also added to your leave entitlement, as a contractual benefit.

You are encouraged to take your annual leave allocation before you start your maternity leave; especially if you are going to return to work in a different annual leave year, as annual leave should be taken in the holiday year that it is accrued. However, if this is not practical, you should discuss with your line manager or the Executive Principal how any outstanding leave can be taken on your return to work.

If, however, you give birth whilst you are on annual leave, your annual leave will cease and your maternity leave will start on the day following the childbirth. Any annual leave days that you have been unable to take, can be taken after your maternity leave ends.

Where it has been agreed that you return to work on the basis of reduced hours or job share working, you will be entitled to annual leave on a pro-rata basis with effect from the date you return to reduced hours.

### **Annual leave – Support Staff employed on term time contracts**

Staff employed on term time contracts receive payment for their entitlement to annual leave and this continues throughout the period of their maternity leave.

### **Annual leave - Teachers**

#### **At the time of writing the current legal position is as follows:**

Teachers do not have a contractual entitlement to paid annual leave nor a contractual annual leave year but are entitled to 28 days statutory annual leave (inclusive of bank holidays), under the Working Time Regulations.

As such a teacher who takes maternity leave must be able to take the days at a time outside of their maternity leave and therefore, it is assumed that any annual leave due will be counted as taken during school closure periods both before and after the maternity period in question.

## **SECTION 6 PAY**

### **Statutory Maternity Pay**

Statutory Maternity Pay (SMP) is paid to you whether or not you decide to return to work after maternity leave but is dependent on your earnings and length of service. The rate for SMP is a flat weekly rate and is adjusted by the Government annually.

To be eligible for SMP you need to have

- earnings of more than the Lower Earnings Limit
- continuous service of more than 26 weeks with the Academy at the end of the qualifying week (i.e. 15 weeks before your EWC)
- informed the Academy following the guidelines set out in section 2

If you are entitled to SMP, this is payable for a maximum of 39 weeks which can start on any day, but cannot start before the 11<sup>th</sup> week before the EWC, unless the baby is born prematurely.

**There are two levels of SMP. There is a standard rate and a lower rate. If the standard rate is more than 90% of your weekly salary, your SMP will be the lower rate of 90% of your weekly pay and not the standard rate.**

### **What if I am not entitled to SMP?**

If you are not entitled to SMP, you will be issued with an SMP1 form by the Academy's payroll provider. You should take the SMP1 with your MATB1 form to your local Job Centre Plus Office, as you may be able to claim for Maternity Allowance which is paid for by the Government.

### **What happens if I resign or am dismissed before my maternity leave?**

If you resign or you are dismissed, after the 11<sup>th</sup> week before EWC, provided you are eligible, your

SMP will start on the day after your job ends. If you resign or you are dismissed between the 15th and 11th week before the EWC and if you are eligible to SMP, you will receive SMP when you reach the 11<sup>th</sup> week before the EWC. Normal notice periods apply throughout.

### **The Academy's Occupational Maternity Scheme**

If you have completed **one year or more continuous service with the Academy (or have relevant service following TUPE transfer) 11 weeks before the EWC**, you are entitled to receive occupational enhancement in line with the Burgundy Book (for teachers), or Green Book (for support staff), maternity pay scheme. This is called the Occupational Maternity Scheme.

Even if you do not earn enough to receive SMP, as long as you have the relevant continuous service, you will be eligible for the Occupational Maternity Scheme.

**A full summary of statutory and occupational entitlements for associate staff can be found at appendix 1.**

**A full summary of statutory and occupational entitlements for teaching staff can be found at appendix 3.**

The total of your SMP and the occupational half pay during weeks 7-18 must not add up to more than your normal weekly full rate of pay. If this is the case, the sum will be scaled down to 100%.

A qualifying condition to Occupational Maternity Pay, (OMP) is that you must return to your job for at least 13 calendar weeks (including periods of Academy closure), otherwise all or part of the 12 weeks half pay must be refunded to the Academy. If you are unsure whether you will return to work, please ensure you select the correct option.

N.B. It is 13 calendar weeks, regardless of the number of days worked per week and does **not** include parental leave.

### **Statutory scheme for ALL Employees**

(i) If you have 26 weeks service but less than one year's continuous service by the 15<sup>th</sup> week before the EWC the statutory maternity entitlement is as follows:

WEEKS 1-6 6 weeks at 90% of average weekly pay

WEEKS 7-39 Statutory Maternity Pay

WEEKS 40-52 Unpaid Leave

(ii) If you have less than 26 weeks continuous service by the 15th week before the EWC will have an entitlement to:

- 52 weeks unpaid leave

You may be entitled to some benefits during this unpaid period. You should discuss this with your line manager / Executive Principal when you provide your completed application form, as they will forward the form to the Academy's Payroll Provider who will be able to confirm your eligibility.

### **Pension Contributions**

Members of the Teachers' Pension Scheme (TPS) and Local Government Pension Scheme (LGPS) will pay contributions based on the actual maternity pay received during the first 39 weeks of the maternity pay period.

During unpaid maternity leave the employer shall not make any payments into the pension scheme and the employee will no longer continue paying contributions. Employees should seek further information from the relevant pension scheme in respect of their options to enhance contributions for the period of unpaid maternity leave.

#### Teachers Pensions

08456 066 166      website: [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk)

#### Local Government Pension Scheme (West Midlands)

03001 111 665      website: [www.wmpfonline.com](http://www.wmpfonline.com)

### **SECTION 7 DURING MATERNITY LEAVE**

#### **Contractual Benefits**

You are entitled to receive all of your contractual benefits, except for your salary, during maternity leave.

#### **Keeping in touch days**

You can work for up to 10 mutually agreed days without bringing your maternity leave to an end. These days are known as "Keeping in Touch" (KIT) days. The 10-day maximum is the same regardless if you work on a full or part time basis.

Work done in a KIT day is any work done under your contract of employment and may include training or any activity undertaken to "Keep in Touch" with the Academy. If, for example, you attend a three-hour training session to "keep in touch", you will have used one of your 10 KIT days. They may be used for any activity which would ordinarily be classed as work under the woman's contract.

You will receive your normal pay for KIT days on a pro rata basis, even during unpaid maternity leave. If you decide to attend a KIT day whilst you are receiving SMP and/or OMP, then this will be offset against your normal pay for the day. This should not add to more than full pay on any of these days.

KIT days can be worked either before or after the birth. However, there is a period of two weeks following the birth of your child where, by law, you are unable to carry out any work. This is called the compulsory maternity period.

If you work more than the allocated 10 days, you will lose your SMP for any work done in that week. Your line manager or the Executive Principal must inform the Academy's payroll provider if this situation arises.

Your line manager will need to send your KIT dates on an email to the Academy's payroll provider so that your pay can be adjusted appropriately.

It would be good practice prior to starting maternity leave to have a conversation with your manager to investigate the opportunities and protocol that may arise for any opportunities for KIT days in the future.

### **What if you do not want to work a “Keeping in Touch” day?**

There is no requirement for you to undertake work. Your manager cannot insist that you carry out any work and if they do, you are protected from suffering any detriment or being dismissed for refusing to do so. Equally, you cannot insist on being given any work to do if there is no appropriate work in your department. Any KIT day should therefore be through mutual agreement.

If you decide to work a KIT day this does not mean that your maternity leave will be extended.

### **Reasonable contact**

You and your line manager, or designated member of staff, are actively encouraged to make reasonable contact during maternity leave to discuss such issues as your return to work, special arrangements to be made or update you on opportunities at work.

Reasonable contact does **not** constitute 'work', does not count towards the ten “Keeping in Touch” days and will not bring your maternity leave period to an end. Also, there is no reason why you should be available for reasonable contact at all times of your maternity leave.

### **Restructure/ Reorganisation**

If, whilst you are on maternity leave and your department is involved in any restructure or reorganisation, the Academy will inform you of this and give you the opportunity to become involved in the process.

## **SECTION 8 - POST MATERNITY AND RETURNING TO WORK**

### **Returning to work**

It is for you to decide your return to work date, as long as it is not within two weeks of childbirth. Unless you choose an earlier return date, Tudor Grange Academy will assume that you will return to work on the first working day after the end of 52 weeks.

If, however, you intend to return before the end of the 52 weeks maternity leave, you must notify the Academy in writing at least 21 days before the intended return date. However, to assist operationally, as much notice should be provided. You can change your mind with respect to your return date as long as you provide similar notice.

If you return to work at the end of your Ordinary Maternity Leave, you are entitled to return to your original post as if you had not been absent, unless the job has been made redundant; you will, however, be offered a job on no less favourable terms and conditions.

If you return to work after Additional Maternity Leave, you are entitled to return to your original post. However, if it is not reasonably practicable, then a similar job on no less favourable terms and conditions must be offered.

### **If you are unable to return to work for medical reasons**

If you are unable to attend work at the end of your maternity leave because of sickness, then you will need to produce a medical certificate and normal reporting and contractual arrangements for sickness absence will apply (see Sickness Absence Management policy)

### **Non-return to duty and resignations**

If you have received the Academy's Occupational Scheme (12 weeks' half pay), but have decided not to return to your job, or you return to your job and then wish to resign, if the last day of your employment is less than 13 calendar weeks from your return date, you will be required to repay all or part of your half pay. If you decide to resign, you must give the relevant contractual notice. (N.B. you do not have to repay any Statutory Maternity Pay that may have been paid to you).

### **Part Time and Flexible Working**

Eligible employees have the right to **request** flexible working and employees should refer to the Trust Flexible Working Policy.

However, it is not an automatic right for you to work flexibly as there can be circumstances where your department cannot accommodate your desired work pattern. The aim of the request is to facilitate discussion and encourage both yourself and your manager / Principal to consider flexible working patterns and find a solution that suits you both.

If you are considering requesting a change to your working hours when you return from maternity leave, then it is recommended that you speak to your manager / Principal and complete the flexible working form as soon as possible. It can take up to six weeks to consider your request and to make a decision, so it is important to plan ahead.

The flexible working policy and form is available from the Academy Office.

## Appendix 1 Support Staff Maternity Entitlements

What service do I have?	What options are available to me?	How much maternity leave am I entitled to?	What maternity pay am I entitled to?
<b>Less than 26 weeks service</b> , irrespective of hours worked, as at the 15 <sup>th</sup> week before the expected week of childbirth (EWC)	<b>A</b> I would like to return to work	Up to 52 week's absence in total including up to 11 weeks before the expected week of childbirth	Form SMP 1 should be provided from your payroll provider to be submitted to the Benefits Agency who will arrange for Statutory Maternity Allowance to be paid to you, subject to qualifying
	<b>B</b> I would like to resign	Not applicable	As above
<b>26 weeks or more</b> , irrespective of hours worked, as at the 15 <sup>th</sup> week before the expected week of childbirth <b>and less than 1 year's service</b> as at the 11 <sup>th</sup> week before the expected week of childbirth (EWC)	<b>C</b> I would like to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	<b>D</b> I would like to keep my options open as I may choose to resign or to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	<b>E</b> I would like to resign	Not applicable	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP
<b>At least 1 year's continuous service</b> , irrespective of hours worked, as at the 11 <sup>th</sup> week before the expected week of childbirth (EWC)	<b>F</b> I would like to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	6 weeks at 90% of contractual full pay followed by 12 weeks half pay. You must return to work for a minimum of 13 weeks otherwise the 12 weeks half pay must be repaid. Plus, depending on salary and average earnings: 33 weeks lower rate SMP to be paid alongside the 12 weeks at half pay
	<b>G</b> I would like to keep my options open as I may choose to resign or to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks at 90% of full pay followed by 33 weeks lower rate SMP and the remainder unpaid 12 weeks at half pay will only be paid if you return to work for a minimum of 13 weeks
	<b>H</b> I would like to resign	Not applicable	Depending on salary and average earnings: 6 weeks at 90% of full pay followed by 33 weeks lower rate SMP

SMP - Service for SMP is continuous service with the current employer only and is only payable if employed during the 8 week period 15 weeks before the expected week of childbirth, subject to the qualifying period.

# Appendix 2 Support Staff Application for Maternity Leave and Pay

Please read the maternity policy and the table overleaf, then complete and return the form below to the school office during or before the 15th week before your expected week of childbirth.

Name:	
Payroll Number:	
Home Address:	
School Name:	

## Maternity Options

Please tick one option below. Refer to table overleaf.

A	C	D	F	G
First date of maternity leave: I understand this date can be altered and I must give at least 28 days' notice of the revised date maternity leave is to commence.				
B	E	H		

I do not intend to return to work and thereby wish to formally terminate my contract of employment effective from:

- Date:
- The end of my maternity pay period

I have read and understand the maternity policy, which I have retained.

Signed:		Date:	
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**NB.** If you wish to continue to pay pension contributions for any period of unpaid maternity leave, please contact your local authority's Pensions Section for further information.

## Expected Week of Childbirth (EWC)

The MATB1 certificate is available from your midwife from the 20<sup>th</sup> week of pregnancy onwards (**please tick**)

- I enclose my MATB1 certificate with this form.
- I will forward my MATB1 certificate to the School as soon as possible and understand that I will not receive any maternity pay until I provide this.

## Keeping in Touch Days

You are entitled to "keep in touch" with the workplace for up to a maximum of 10 days during your maternity leave without affecting your entitlement to statutory or contractual maternity pay. The exact arrangements for "keeping in touch" must be discussed with your Principal/Headteacher/Line Manager.

- I wish to discuss with my Principal/Headteacher/Line Manager arrangements for "keeping in touch" days.
- I do not wish to discuss arrangements for "keeping in touch" days but reserve the right to discuss this with my Principal/Headteacher/Line Manager at a later date during my maternity leave.

## Authorising Signature

I confirm that an assessment to identify hazards that could be a risk to any new, expectant, or breastfeeding mothers has been or will be undertaken and I have discussed "keeping in touch" days with the employee if requested.

- I certify that I have seen the original MATB1 certificate

Signed:		Date:	
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**Please return this completed form to EPM as soon as possible to enable a response to be provided to the employee within 28 days of this form being returned to the School office.**

## Appendix 3 Teacher Staff Maternity Entitlements

What service do I have?	What options are available to me?	How much maternity leave am I entitled to?	What maternity pay am I entitled to?
<b>Less than 26 weeks service</b> , irrespective of hours worked, as at the 15th week before the expected week of childbirth (EWC)	<b>A</b> I would like to return to work	Up to 52 week's absences in total including up to 11 weeks before the expected week of childbirth	Form SMP 1 should be provided from your payroll provider to be submitted to the Benefits Agency who will arrange for Statutory Maternity Allowance to be paid to you, subject to qualifying
	<b>B</b> I would like to resign	Not applicable	As above
<b>26 weeks or more</b> , irrespective of hours worked, as at the 15th week before the expected week of childbirth <b>and less than 1 years' service</b> as at the 11th week before the expected week of childbirth (EWC)	<b>C</b> I would like to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	<b>D</b> I would like to keep my options open as I may choose to resign or to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	<b>E</b> I would like to resign	Not applicable	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP
<b>At least 1 year's continuous service</b> , irrespective of hours worked, as at the 11th week before the expected week of childbirth (EWC)	<b>F</b> I would like to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	4 weeks at full pay and 2 weeks at 90% of full pay followed by 12 weeks half pay. You must return to work for a minimum of 13 weeks otherwise the 12 weeks half pay must be repaid. Plus, depending on salary and average earnings: 33 weeks lower rate SMP to be paid alongside the 12 weeks at half pay
	<b>G</b> I would like to keep my options open as I may choose to resign or to return to work	Up to 52 weeks absence in total including up to 11 weeks before the expected week of childbirth	4 weeks at full pay and 2 weeks at 90% Plus depending on salary and average earnings: 33 weeks lower rate SMP and the remainder unpaid The 12 weeks at half pay will only be paid if you return to work for a minimum of 13 weeks
	<b>H</b> I would like to resign	Not applicable	4 weeks at full pay and 2 weeks at 90% Plus depending on salary and average earnings: 33 weeks lower rate SMP

SMP - Service for SMP is continuous service with the current employer only and is only payable if employed during the 8 week period 15 weeks before the expected week of childbirth, subject to the qualifying period.

# Appendix 4 Teacher Application for Maternity Leave and Pay

Please read the maternity policy and the table overleaf, then complete and return the form below to the school office during or before the 15th week before your expected week of childbirth

Name:	
Payroll Number:	
Home Address:	
School Name:	

## Maternity Options

Please tick one option below. Refer to table overleaf.

A	C	D	F	G
First date of maternity leave: I understand this date can be altered and I must give at least 28 days' notice of the revised date maternity leave is to commence.				
B	E	H		

I do not intend to return to work and thereby wish to formally terminate my contract of employment effective from:

- Date:
- The end of my maternity pay period

I have read and understand the maternity policy, which I have retained.

Signed:		Date:	
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**NB.** If you are intending to take a period of unpaid absence during your maternity leave you should be aware that you will not pay contributions during this period. You are advised to contact Teachers Pensions to seek advice on the effect that a period of unpaid maternity leave will have as well as any options available to enhance your pension: [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk)

## Expected Week of Childbirth (EWC)

The MATB1 certificate is available from your midwife from the 20<sup>th</sup> week of pregnancy onwards **(please tick)**

- I enclose my MATB1 certificate with this form.
- I will forward my MATB1 certificate to the School as soon as possible and understand that I will not receive any maternity pay until I provide this.

## Keeping in Touch Days

You are entitled to “keep in touch” with the workplace for up to a maximum of 10 days during your maternity leave without affecting your entitlement to statutory or contractual maternity pay. The exact arrangements for “keeping in touch” must be discussed with your Principal/Headteacher/Line Manager.

- I wish to discuss with my Principal/Headteacher/Line Manager arrangements for “keeping in touch” days.
- I do not wish to discuss arrangements for “keeping in touch” days but reserve the right to discuss this with my Principal/Headteacher/Line Manager at a later date during my maternity leave.

## Authorising Signature

I confirm that an assessment to identify hazards that could be a risk to any new, expectant, or breastfeeding mothers has been or will be undertaken and I have discussed “keeping in touch” days with the employee if requested.

- I certify that I have seen the original MATB1 certificate

Signed:		Date:	
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Please return this completed form to EPM as soon as possible to enable a response to be provided to the employee within 28 days of this form being returned to the School office.