



Parkside Community College

MATERNITY POLICY – Teaching Staff

I General Principles

- 1.1 All women are entitled to maternity leave. The actual entitlement to leave and the amount of maternity pay is dependent on your length of continuous employment at this school. Full details of the revised Statutory Maternity Pay and Maternity Allowance schemes can be found in the leaflet NI17A, which is available from your local Jobcentre Plus/Social Security Office.
- 1.2 Your maternity leave cannot begin earlier than the beginning of the eleventh week before the expected date of childbirth. You may continue to work beyond this eleventh week if you wish, and still qualify for maternity pay, but you must not remain at work if medically unfit to do so.
- 1.3 All women have a right to return to work after maternity leave irrespective of length of service.
- 1.4 All contractual entitlements, except for remuneration, will continue throughout the maternity leave period.
- 1.5 If, in the early months of pregnancy, you are advised by the approved medical practitioner to absent yourself from school because of the risk of rubella, you will be granted leave with full pay.
- 1.6 No later than the end of the 15th week before your baby is due you must tell your manager or headteacher in writing that:
 - You are pregnant.
 - When the expected week of childbirth will be.
 - The date you intend to start your maternity leave (this can be no earlier than the 11th week before the expected week of childbirth).

You may change your leave dates as long as you give 28 days notice.

- 1.7 A form MatB1 provided by your midwife after 20 weeks of pregnancy must be sent to the school's payroll department to enable maternity pay to be paid.



- 1.8 Statutory Maternity Pay is normally payable from a Sunday, however it may start on another day of the week if triggered by a baby being born before maternity leave has started or because you are absent from work for a pregnancy related reason in the four weeks preceding the expected birth. In these cases it will start the day after the birth or the first day of absence.
- 1.9 When you have notified your manager/headteacher of your pregnancy, the school will acknowledge your request to take maternity leave and notify you of the date you are expected to return to work if you take your full entitlement to maternity leave.
- 1.10 The school will assume that you will take your full maternity leave entitlement and will return to work at the end of this period. If you want to return to work before the end of your maternity leave, you must give the school 28 day's notice of the date you want to return to work.

2 Antenatal Care

All staff have a right to paid time off for ante-natal care and must produce evidence of appointments.

3 Maternity Leave and Pay Entitlements

All staff have to take a minimum of two weeks from work immediately following the date of childbirth and can not therefore return before this period.

3.1 Less Than Six Months' Service

- 3.1.1 If you have been continuously employed as a teacher for less than six months at the beginning of the 15th week before the expected date of childbirth you will be entitled to the minimum benefit of maternity leave and maternity pay/allowance.
- 3.1.2 You will be entitled to 26 weeks ordinary maternity leave, which following 1.2 above cannot begin earlier than the 11th week before the date of confinement, nor may you return to work for at least two weeks after the birth of the baby.
- 3.1.3 You may be entitled to a maternity allowance for each week of leave providing you meet the employment and earnings rule. This is not Statutory Maternity Pay which is paid by the school but a benefit which must be claimed by you from your local Jobcentre Plus/Social Security Office.

3.2 Six Months' or More Service but Less Than One Year

- 3.2.1 If you have six months' continuous service as a teacher at the beginning of the 15th week before the expected week of confinement you will be entitled to Statutory Maternity Pay for 26 weeks (subject to minimum earnings limits).



3.2.2 Statutory Maternity Pay of 6 weeks at 90% of your normal weekly salary and 20 weeks at the rate of £102.80 per week (or 90 per cent of earnings if this is less than £102.80 per week).

3.2.3 You will be eligible to take 26 weeks' additional maternity leave (AML) starting immediately after the 26 weeks' ordinary maternity leave. AML is unpaid.

3.3 One Year's Service or More

3.3.1 You will be entitled to have 26 weeks leave with pay as follows:

- (a) For the first four weeks of absence - Full pay this includes Statutory Maternity Pay (SMP)
- (b) For the next two weeks of absence 90% of a weeks salary including SMP
- (c) For the next twelve weeks of absence - half of full pay, plus Statutory Maternity Pay providing the payments together do not exceed normal full pay.
- (d) For the next 8 week's of absence – Statutory Maternity pay.
(subject to minimum earnings limits)

3.3.2 You have a right of return to work at the end of the 52 weeks' maternity leave or earlier providing you give the school 28 days' notice in writing of your intention to return to work before the end of your maternity leave.

4 Conditions Regarding Salary Entitlement During Absence for Maternity

Payment of half of salary as detailed in 3.3.1c above will be made on the condition that you will be available for full time or equivalent part time duty for a period of at least 13 weeks from the date of return to your job, and in the event of you not being available you will refund the money. You will be able to retain the first six weeks' payment and any statutory maternity pay.

Following your return to work, the normal provisions for submitting your notice will apply as follows:

- (a) The period of 13 weeks is inclusive of any holidays you may take.
- (b) The requirement to return for at least 13 weeks to retain your half pay may be reduced at the discretion of the Governing Body.
- (c) Absence on account of illness which occurs outside the period provided for maternity absence will be treated under the sick pay/leave regulations.



5 Notice Requirements

Where you wish to exercise your right to return to work, you are entitled to return to the post in which you were previously employed or one of a similar nature which is deemed to be a suitable alternative (see paragraph 1 of your Terms and Conditions document).

- 5.1 You must notify the school, if, at any time after the fourth week before the expected week of childbirth, you are unable to attend work because of any reason connected with your pregnancy. In this case your maternity leave will start immediately.
- 5.2 You must notify the school if the birth is early, and this notice must be given as soon as practicable after the birth. Failure to do so may affect your entitlement to SMP.

6 Return to Work

Current employment legislation allows parents who have 26 weeks continuous employment with their employers the right to ask for flexible working to enable them to care for a child of up to 6 years of age (18 Years if child disabled). Under this legislation you are allowed to make one application every 12 months to vary your contract with regard to:-

- Times you are required to work
- Hours of work
- Where you are required to work

This variation if agreed will become permanent. Your employer has a duty to consider each request seriously and will need to carry out a formal time bound procedure. If the request is refused they will give you clear business reasons as to why your request could not be accepted. Please see our policy document on flexible working for more information and guidance.

In all circumstances we would recommend contacting and speaking to your manager at the earliest possible time to try to reach agreement.

7 Continuous Service

Your service will be counted as continuous during maternity leave for both statutory and contractual rights.

8 Protection Against Dismissal

Regardless of length of service you are protected against dismissal or selection for redundancy on maternity related grounds which will automatically be regarded as unfair dismissal. In addition there is an automatic right to receive written reasons for dismissal during the maternity leave period.



9 Health and Safety

- 9.1 Your employer will assess the risk at work to your health when pregnant. Where your job poses a risk to your health to yourself or the baby, the school will consider alternative employment that is not prejudicial. If there is no suitable alternative work you will be suspended on maternity health and safety grounds.
- 9.2 If you are suspended on maternity health and safety grounds you will be entitled to receive your normal salary.

10 Further Details

- 10.1 This procedure is not to be regarded as exhaustive. Maternity regulations are complex and for further advice and guidance contact either your manager or the local Jobcentre Plus or Social Security Office.
- 10.2 The Governing Body may supplement the provisions contained in this procedure from time to time.
- 10.3 During your maternity leave the school will do its utmost to keep in contact with you sending staff newsletter and updating you on any job vacancies which become available during that time. If you need to discuss any details provided please contact your manager who will be pleased to provide further advice.
- 10.4 For further information with regard to parental rights please refer to our policy on Parental Leave, Flexible Working and Paternity Leave.

This policy was approved at a meeting of the Full Governing Body on 6 July 2005.

To be reviewed July 2009.