



BEACON EDUCATION

AMBITION RESPECT EXCELLENCE

MATERNITY GUIDANCE & PROCEDURES

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INTRODUCTION

This booklet, 'A Summary of Things You Need to Do', outlines your rights and explains what you need to do to retain your rights.

It is very important that you understand your rights and the legal requirements that have to be fulfilled. For example, if you go on maternity leave too early you may not receive any maternity pay. European and UK legislation and National Agreements determine these rights.

Beacon Education has a range of schemes, policies and facilities to assist you to balance the demands of working whilst pregnant, maternity leave and pay, childcare and employment. The aim of these policies is to positively encourage women to return from maternity leave and to help ensure their retention and development within Beacon Education.

This is a guide for staff employed under "Burgundy Book" National Conditions of Service.

Please read information in this booklet, as it will help you understand and benefit from Beacon Education and the statutory maternity provisions.

A Summary of Your Maternity Rights

The following provisions apply where a woman's expected week of childbirth, (as stated on their MAT B1 Form) is on or after 1st April 2007. Contractual rights are not affected by these statutory changes.

Maternity Leave

All pregnant employees are entitled to 26 weeks Ordinary Maternity Leave (OML) and 26 weeks Additional Maternity Leave (AML); this right is NOT conditional on your length of service or how many hours you work. Maternity leave may start on any day of the week.

Statutory Maternity Pay (SMP)

An employee who qualifies for SMP is entitled to 39 weeks SMP.

SMP is paid at the following rates:

- for the first 6 weeks @ 90% of your average weekly earnings
- for the next 33 weeks -which ever is the less of the SMP standard rate or 90% of average weekly earnings

To qualify for SMP:

- you must have been continuously employed by the Trust for 26 weeks by the end of the 15th week before the expected week of childbirth (EWC) this is known as the qualifying week.
- your average weekly earnings in the 8 weeks up to the qualifying week should be equal to or greater than the lower earnings limit for NI
- you must submit a certificate showing the EWC (normally a MAT B1) to Trust HR Team.

Contractual Maternity Pay (CMP)

CMP is paid at the following rates:

- 4 weeks @100% of a weeks pay(offset against any SMP/Maternity Allowance which may be due).
- 2 weeks @ 90% of a weeks pay (offset against any SMP/Maternity Allowance which may be due).
- 12 weeks half pay (weeks 7 to 18) plus any SMP which may be due, assuming this would not exceed the normal full weeks pay and subject to you returning to work for 3 months.

To qualify for CMP:

- You must have at least one year's continuous service with Beacon Education at the beginning of the 11th week before expected week of childbirth (EWC).
- You must return to work for a minimum of three months.

Maternity Allowance

Employees who do not qualify for SMP may be eligible for Maternity Allowance, which is a social security benefit. This is paid for 39 weeks at the standard SMP rate or, if lower, 90% of the average weekly earnings.

Returning to Work

It is always assumed you are coming back to work at the end of your full maternity leave entitlement (52 weeks).

If you decide to return before the end date of your maternity leave you must give a minimum of 8 weeks notice. Obviously, your Head/manager would appreciate as much notice as is possible.

Keeping in Touch Days (KIT)

- KIT are days designed to keep you in touch with your job and work place. They are considered to be working days and not just contact with your employer to discuss issues such as your return to work.
- You may request or be requested to work up to 10 days during your maternity leave. You do not have to accept any work offered and the School is not obliged to offer you work.
- Work may include attending a meeting or training session; it can also include completing a work related project at home.
- You will receive pay in respect of any hours worked during a KIT day but, this pay will be offset against any statutory and/or contractual maternity pay received in respect of that day. The Contractual Maternity Pay adjustment is on an hourly basis.
- Please note that that working for part of a day will count as one full day for both 'KIT days' and SMP purposes. For example, if you work 3 hours, you will be paid for 3 hours at your normal hourly rate but have one full day's SMP deducted from that pay. You will then have 9 KIT days remaining.
- KIT days may not be worked during your period of compulsory maternity leave i.e. the 2 weeks immediately following the birth of your baby.

Reasonable Contact

The Regulations amending the statutory maternity provisions make it clear that whilst on maternity leave, your employer is allowed to make reasonable contact with you to discuss issues such as your return to work. This would not constitute work and would not count towards a KIT day.

A SUMMARY OF THINGS YOU NEED TO DO

Before you take Maternity Leave you must:

- a) Notify your Head/manager that you are pregnant
- b) Arrange with your Head/manager for a Health & Safety Risk Assessment for New and Expectant Mothers to be undertaken- subsequent assessments may be required as your pregnancy progresses. Further information can be obtained through the Trust HR Team.
- c) Discuss your Rights and Entitlements with your Head/manager.
- d) Notify the Trust HR Team, in writing, that you are pregnant (a *Maternity Leave Application Form - Part 1* is included in this booklet). Your Head/manager will need to sign this form and forward it to the Trust HR Team, who will send you an estimate of your maternity payments.
- e) Obtain a medical certificate (form MAT B1) signed by your doctor or midwife showing the date that your baby is expected.
- f) Consider when you wish to start your maternity leave.

This can be at any time from the beginning of the 11th week before the expected week of childbirth until the birth of your baby. It is normally recommended that in order to take adequate rest, you do not work beyond 4 weeks before the expected date of birth, although this will vary according to individual circumstances. If you do work into this 4-week period, your Head/manager may require you to provide medical confirmation that you are fit to continue working.

- g) Write to your Head/manager, by the 15th week before your EWC (unless it is not reasonably practical for you to do so) confirming;
 - your pregnancy
 - your wish to take maternity leave
 - your EWC
 - the date you wish to start maternity leave

Please do this by completing the *Maternity Leave Application Form - Part 2* provided, and attach the MAT B1 form. Your Head/manager should sign this form and forward it to the Trust HR Team. If you do not have the MAT B1 form by the 15th week before your EWC, complete and send the form to the Trust HR Team. When you receive the MAT B1 Form forward it to the Trust HR Team immediately. The Trust HR Team requires the form to authorise the payment of SMP.

- h) If you wish to change the date you wish to start maternity leave, you must give your Head/manager 28 days notice.
- l) Discuss with your Head/manager 'keeping in touch' arrangements. Consider how much contact you wish to have with your School/Department and whether you wish to be kept informed of School and/or all vacancies within SCC.

It is advisable that at a minimum, you request to be kept informed of changes and vacancies within your School/Department. Remember your Head/manager may contact you to discuss such matters as your return to work or to offer you some work under the Keeping in Touch (KIT) days provisions.

You should also discuss whether you may wish to be offered any 'Keeping in Touch Days' or you may wish to request work under these provisions. There is no obligation for the School to offer work or for you to accept work under the KIT arrangements.

Whilst KIT days are paid, any pay received will, if you are in receipt of SMP or CMP at the time of undertaking a KIT day be offset by these payments. If you undertake a KIT day during the 'no pay' period of maternity leave you will receive your normal hourly rate for any hours worked. A maximum of 10 KIT days may be worked.

After the Birth of your Baby should:

- a) Keep in contact with your Head/manager

Contact could mean brief phone calls with your Head/manager and/or colleagues, a visit to your workplace in order to keep up-to-date with any major changes and possibly the attendance on short training courses. You should also consider if you wish to request to take any or be offered any KIT days whilst on maternity leave.

- b) Consider the date you wish to return to work.

If you wish to return early you must give your Head/manager 8 weeks notice.

If you do not intend to return early, you will be expected to return to work at the end of your AML.

- c) Consider the options available to you on returning to work.
 - Should you anticipate the need to have a temporary adjustment to your contract, please discuss this requirement with your Head/manager before returning to work.

- You may request a permanent change to your contract under the Right to Request Flexible Working Policy, please contact Trust HR if you wish to explore this option.
- d) Check for a contact number for Childcare Vouchers.
- e) For information on childcare in your area please contact the Trust HR Team.
- f) Arrange with your Head/manager for a Health & Safety Assessment for New and Expectant Mothers (depending when you return to work and whether or not you are breastfeeding your baby). Further information can be obtained from the Trust HR Team.

Adoption Guidance:

Adoption Appointments

Employees who are adopting on their own, or have elected to be the primary adopter, may take paid time off to attend up to five adoption appointments in certain circumstances.

If you are the partner of the primary adopter, you may take paid time off on up to two occasions to attend an adoption appointment.

Adoption Leave

Employees who are matched with a child for adoption may be entitled to take up to 52 weeks' adoption leave. Adoption leave is also available to individuals fostering a child under the "Fostering for Adoption" scheme.

Where two parents are adopting a child, only one of them may take adoption leave, and the other (regardless of gender) is entitled to take paternity leave. If both adoptive parents qualify, they may each take shared parental leave.

The arrangements for taking adoption leave are similar to the arrangements for taking maternity leave, but there are several important differences. The key ones are set out below, but if you believe you are entitled to adoption leave you should discuss the situation with an appropriate manager who will ensure that you have all the necessary information.

Notification

If you intend to take adoption leave you should notify the Trust of this within seven days of being notified that you have been matched with a child for adoption (or as soon as is reasonably practicable). Your notification should set out:

- the date when the child is expected to be placed with you; and
- the date when you want to start your adoption leave.

As with maternity leave, you can change your mind about the start date provided the Trust is given at least 28 days – or as much notice as is reasonably practicable. The Trust is entitled to require proof of the adoption which usually takes the form of a matching certificate provided by the agency placing the child.

Adoption leave is the same in duration as that of maternity leave and will last for 52 weeks unless you choose to return early or take advantage of shared parental leave. You may choose to start the leave from the date when the child is placed with you or at any time in the preceding two weeks.

If, for any reason, the placement is brought to an end – for example because the match turns out to be unsuitable – then adoption leave will continue for 8 weeks beyond the end of the placement or to the end of the additional adoption leave period, if that is sooner. After that period, you will be expected to return to work as normal.

Adoption Pay

The arrangements for statutory adoption pay are similar to those for SMP (see Maternity Policy). For those entitled to Occupational Adoption Pay under the Burgundy / Green Book (Support staff) as identified under your contract of employment as being applicable to your employment, the arrangements are similar to Occupational Maternity Pay under the Burgundy / Green Book.

Returning to Work Following Adoption Leave

Your return to work at the end of your adoption leave is on the same basis as for the end of maternity leave (set out in the Maternity Policy).

USEFUL FORMS

1. Maternity Leave Application Form Part 1
2. Maternity Leave Application Form Part 2
3. Paternity Leave Application Form
4. Flexible Working Request Form
5. KIT Days – Payroll Notification

MATERNITY LEAVE APPLICATION – Part 1

Notification of Pregnancy

<p>As soon as your Head/manager knows you are pregnant you will receive extra employment protection. On receipt of this form the Trust HR Team will advise you of your maternity pay entitlements. Please complete this form as early as possible in your pregnancy.</p>	
<p>1. Initials:</p> <p>Surname:</p>	<p>School/setting:</p>
<p>2. Employee number:</p> <p>N.I Number:</p>	<p>Notes for Completion</p>
<p>3. Expected Date of Childbirth</p> <p>I am pregnant and my baby is due on: (Date)</p> <p>I started work for Beacon Education on(d).....(m).....(y)</p> <p>My continuous Beacon Education service started on(d).....(m).....(y)</p>	<p>Your continuous Beacon Education service date will be stated on your Statement of Particulars. This document was given to you shortly after joining SCC.</p> <p>The date your continuous Trust Service started recognises any employment with another Local authority immediately before you started work for SCC.</p>
<p>4. Maternity Leave: A Summary of Things You Need To Do.</p> <p><input type="checkbox"/> Please send me a copy of the above booklet.</p> <p>OR</p> <p><input type="checkbox"/> I have a copy of the above booklet</p> <p>I understand I must complete the form Maternity Leave Application – Part 2 Confirmation of Maternity Leave Dates and confirm the date I intend to start Maternity Leave by the 15th week before my EWC. I may change my mind if I give at least 8 weeks notice before I wish the leave to commence.</p>	<p>To ensure your rights are protected, you should write by the 15th week before EWC. If you change your mind you must give 8 weeks 28 days notice of the new date you wish to start maternity leave.</p> <p>A form Maternity Leave Application – Part 2 Confirmation of Maternity Leave Dates is found in this booklet</p> <p>On receipt of Maternity Leave Application Form Part 2, the ESU will make arrangements to pay your maternity pay.</p>

Signed: Date:	
To be completed by the Head/Manager	
<p>5.</p> <p>A Health and Safety Risk Assessment has been arranged/undertaken for the above employee.</p> <p>I have advised her of the Maternity Leavers Course.</p> <p>Signed Date</p>	<p>The employee should retain a copy for their records.</p>

On completion the form should be returned to the HR Team

MATERNITY LEAVE APPLICATION - Part 2

Confirmation of Maternity Leave Dates

1. Initials: Surname:	School/setting:
2. Employee number: N.I Number:	Notes for Completion
3. Expected Week of Childbirth My baby is due on (Date) (EDC) I have attached my MAT B1 Form confirming this date: YES <input type="checkbox"/> NO <input type="checkbox"/>	We require you to produce a certificate from your Doctor or Midwife giving the expected week of childbirth – normally the MAT B1. Please ask your Doctor or Midwife for this form at around the 20 th week of your pregnancy. You will not receive Statutory Maternity Pay (SMP) if the HR Team does not have your MAT B1.
4. Maternity Leave: I intend to take Ordinary Maternity Leave (OML) <u>only</u> : <input type="checkbox"/> I intend to take Ordinary Maternity Leave and I also intend to take Additional Maternity Leave (AML): <input type="checkbox"/>	Ordinary Maternity Leave (OML) lasts for 26 weeks and Additional Maternity Leave (AML) lasts for a further 26 weeks giving one years' leave in total.
5. Contractual Maternity Pay By the beginning of the 11 th week before my baby is due (i.e. when I am 29 weeks pregnant) I will have at least one years' Beacon Education service YES <input type="checkbox"/> NO <input type="checkbox"/> I intend to return to work at the end of my maternity leave <input type="checkbox"/> <input type="checkbox"/>	An employee who can answer yes to both questions is entitled to enhanced maternity pay (contractual maternity pay), during their OML period, on the condition that they return to work for 3 months. We are asking the second question therefore solely for the purpose of determining your eligibility for enhanced payment. Your answer will not in any way affect your employment with us in any

STATUTORY PATERNITY PAY, PATERNITY LEAVE AND MATERNITY SUPPORT LEAVE APPLICATION

1. Initials: Surname:	School/setting:
2. Employee number: N.I Number:	Notes for Completion
3. Expected Date of Childbirth The baby is due on (date) OR The baby was born on(date)	This is the date on the MAT B1 Certificate or if the baby has been born, the birth certificate.
4. Paternity Leave: By the end of the 15 th week before the baby is due, I will have at least 26 weeks' continuous Beacon Education: <div style="display: flex; justify-content: space-around; align-items: center;"> YES <input type="checkbox"/> NO <input type="checkbox"/> </div> I intend to take 2 weeks Paternity Leave <input type="checkbox"/> OR I intend to take 1 weeks' Paternity Leave <input type="checkbox"/>	Paternity Leave has a service qualification of 26 weeks as at the end of the 15 th week before EWC. Paternity Leave is for a maximum of 2 weeks, and is paid at Statutory Paternity Pay rate. The five days leave to care for a near relative can be used for the first week of Paternity Leave. This does not have a service qualification and, unlike Statutory Paternity Pay, is at full pay. Statutory Paternity Pay is set by the government in April each year. The leave must be taken in one block.
5. Date Leave to start (if known) I wish my Paternity Leave to start on (Date)	Paternity Leave must be taken within 8 weeks of the birth.

<p>6. Declaration for Paternity Leave only</p> <p>(i) I am the baby's biological father, or married to the mother, or living with the mother in an enduring relationship but not an immediate relative.</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(ii) I have responsibility for the child's upbringing:</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>(iii) I will take time off to support the mother of the child:</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	<p>You must be able to tick 'YES' to all three questions to be eligible for statutory Paternity Pay and Paternity Leave.</p> <p>If you are not due Statutory Paternity Pay the HR Team will send you a SPP1 Form to complete.</p>
<p>7. Employees signature</p> <p>Signed Date</p>	<p>In signing this form, you are confirming that the details given are true and that you understand that by knowingly making a false declaration, you may render yourself liable to disciplinary action.</p>
<p>8. Authorisation</p> <p>To be completed by the Head/manager</p> <p>Signed Date</p>	

On completion this form and the MAT B1 Certificate should be returned to the HR Team

REQUEST FOR FLEXIBLE WORKING

Employees Name:	
School:	
Head/manager:	
Please give details of current hours, time and place of work:	
Reason for requesting flexible working:	
Have you made a request for flexible working in the past 12 months?	
Please detail the changes you are requesting to hours, time or place of work.	
What date would you propose these changes to become effective?	
What effect do you feel the change will have on the School/department?	
Please suggest how in your opinion, the School/ department could deal with these effects	

Signed: **Date:**

Please return the completed form to your Head/Manager.

To:

HR Team
 Minehead Middle School
 Ponsford Road
 Minehead
 TA24 5RH

KEEPING IN TOUCH DAYS

PAYROLL NOTIFICATION

To be completed by the employee and authorised by the Head/Manager at the end of each period of employment.

Initial:		School:	
Surname:		Department:	
Employee No.		GL Code:	
NI Number:			

The above individual, who is currently on Maternity Leave, has worked the hours recorded below:

DATE		HOURS (Max 7.5 per day)	KIT DAYS (10)		AUTHORISED HEAD/MANAGER'S SIGNATURE
From dd/mm/yy	To dd/mm/yy		Taken	Remaining	

The Head/manager should forward this to the HR Team and give a copy to the employee.