

Maternity and Paternity Policy

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Purpose

The maternity leave provisions are designed to allow pregnant women to take extended leave of absence from work to undertake responsibilities associated with early childcare and to encourage their return to work with the school. **Please see the Shared Parental Leave Guidance (Section 8c in Guidance for Schools) for further information regarding other options for taking Maternity Leave & Statutory Maternity Pay.**

Rights

Fertility Treatment

Employees will be granted reasonable leave with pay to attend medical appointments for reasons connected with fertility, this includes appointments for scans, tests etc.

Antenatal Care – Pregnant Employees

Any pregnant employee has the right to paid time off to attend antenatal care. This can include parent craft and relaxation classes provided it is on the advice of a registered medical practitioner, nurse or midwife. The employee must produce evidence of any of these appointments if requested to do so.

Leave must be requested via the Headteacher/Manager and a record of appointments retained.

Antenatal Care – Fathers or Partners

Fathers or partners of expectant mothers are able to request paid time off to attend up to 2 antenatal appointments with the birth parent.

Maternity Leave

All female employees regardless of service are entitled to a total of 52 weeks maternity leave provided they comply with the notification procedures.

Maternity leave comprises a period of 26 weeks Ordinary Maternity Leave (OML) and a further period of 26 weeks Additional Maternity Leave (AML). The AML will commence at the end of OML. The leave can commence at any time from the 11th week before the expected week of childbirth (EWC).

Compulsory Maternity Leave

Refers to the 2 weeks commencing with the day of childbirth, when a woman is not allowed to work by law. This forms part of the OML period.

Contractual Rights

Full contractual rights (except remuneration) will be maintained throughout the maternity leave period.

It is automatically unfair to dismiss a woman on grounds relating to pregnancy, childbirth, maternity suspension or maternity leave.

An employee must not be subjected to any detriment by any act, or any deliberate failure to act, by her employer because the employee:

- is pregnant or has given birth;
- is subject to a suspension from work on maternity grounds;
- took or availed herself of the benefits of maternity leave.

Fathers or partners who exercise, or seek to exercise, their right to statutory unpaid time off to accompany their spouse or partner to up to 2 antenatal appointments are protected in law from detriment arising from exercising that right.

Maternity Allowance

Those who do not qualify for Statutory Maternity Pay / Contractual Maternity Pay may be eligible for Maternity Allowance paid directly from the [Department of Work and Pensions](#).

Statutory Maternity Pay (SMP)

Eligibility

The main eligibility criteria for SMP, included in the Employment Act 2003, are that the employee:

1. is still pregnant 15 weeks before the EWC or if the baby has already been born at that time;
2. has been employed by the Local Authority/Academy for at least 26 weeks continuing into the 15th week before the EWC;
3. average weekly payments over the last 8 weeks (2 months) before the 15th week are equal to or more than the lower earnings limit for payment of National Insurance Contributions;
4. provides the Headteacher/Manager with notification of the pregnancy and the date when she intends to start her OML, on or before the 15th week before the EWC. If this is not practicable, she should provide the notice as soon as reasonably practicable. The employee may change her mind as to the date the leave is to start by giving 28 days' notice. (National negotiations have agreed that employees covered by Green Book terms and conditions need only inform their Manager of their pregnancy 28 days before they intend to start maternity leave).

Maternity Pay Period (MPP)

The period during which SMP may be paid is called the Maternity Pay Period (MPP).

The MPP cannot start earlier than the 11th week before the EWC. After this date, the employee can choose when she leaves work, and therefore when the MPP starts.

Payment

The Local Authority/Academy is statutorily responsible for the payment of SMP. Statutory Maternity Pay is paid for 39 weeks in total.

SMP is paid at 2 rates (higher and standard).

- For the first 6 weeks of maternity leave, SMP will be equivalent to 90% of the employee's average weekly earnings for National Insurance Contributions. This is known as the higher rate.
- For the next 33 weeks, SMP is paid at a fixed standard rate, which is set by the Government and is normally reviewed annually in April. (If 90% of weekly earnings is less than the fixed amount, then the lower amount will be paid).

An employee does not have to intend to return to work after the baby is born to qualify for SMP.

Disentitlement to SMP

An employee will not be eligible for SMP if she:

1. starts work in her MPP after childbirth for an employer other than the Local Authority/Academy;
2. is in legal custody at any time during her MPP.

It is the employee's responsibility to notify her Headteacher/Manager if any of the above events occur.

Where an employee notifies her Headteacher/Manager that 1 of these circumstances applies to her, SMP must cease. It is essential that the school immediately informs their payroll provider, so that the necessary action can be taken.

Contractual Maternity Pay (CMP)

Contractual Maternity Pay is available to those employees who have completed 1 year's continuous service at the beginning of the 11th week before the EWC.

The contractual scheme provides maternity pay for 18 weeks. The first 6 weeks are paid at 90% of a week's pay (under Burgundy book provisions, teachers are paid full pay for the first 4 weeks of absence, and the next 2 weeks at 90% of full pay). However, the CMP due will be offset by any SMP paid during the first 6 weeks of maternity leave.

For each of the next 12 weeks, half a week's pay will be received plus SMP (provided that the combination of these 2 elements does not exceed the normal weekly pay) on condition that the employee has previously declared her intention to return to work for 3 months following maternity leave (13 weeks for teachers). The return to work is inclusive of agreed holidays and is unaffected by any change to the hours worked on return.

If the employee is unsure whether or not she will return to work, she can opt to receive the 12 weeks half pay on her return to work. In which case the employee will receive SMP only and upon returning to work the half pay element of CMP will be paid.

If an employee fails to return to work for a minimum of 3 months/13 weeks, the school's payroll provider will take the appropriate steps to recover the 12 weeks half pay element of CMP as necessary.

The debt resulting from the enforcement of these conditions will automatically be collected unless the payroll provider receives written authorisation from the school stating the reasons not to do so.

Schools have the discretion to reduce the 3 months period of return to work, if they can demonstrate a good reason for doing so.

If CMP is being paid, SMP will be offset against it for the first 6 weeks. SMP will be paid in addition to half pay element of CMP, unless the combination of these 2 elements exceeds the employee's normal full weekly pay.

Right to Return to Work

An employee is entitled to return to work at the end of Additional Maternity Leave (AML) without giving prior notice; it is assumed that the employee will take their full entitlement unless they give written notice to the contrary, i.e. if the employee has stated in writing that

they intend to return to work before the end of AML, that is the expected return to work date. However, under the 'reasonable contact' arrangements, they should be encouraged to give, where possible, an indication of their anticipated return to work date.

Employees returning from OML have the right to return to the job in which they were employed prior to taking OML.

After AML, employees have the right to return to their previously held job in which they were employed before their absence unless:

- there is a redundancy, in which case they are entitled to be offered potential redeployment ahead of other employees to a suitable alternative vacancy, where one exists. The work must be both suitable in relation to the employee and appropriate for them in the circumstances, and the place and capacity in which they are employed, and the terms and conditions of employment must not be substantially less favourable than before; OR
- it is not reasonably practicable for the employer to permit this, in which case employees must be offered suitable alternative work, on terms and conditions that are no less favourable than would have applied if the employee had not been absent.

Establishing a Return Date

The employee is not formally required to give notice of the intended date of return if it is at the end of 52 weeks maternity leave. However, under the "reasonable contact" arrangements, she should be encouraged to give, where possible, an indication of her anticipated return to work date.

It should be automatically assumed that the employee will return following their full entitlement to maternity leave, i.e. after 52 weeks. The employee and the school will be advised of the expected date of return to work (i.e. the end of 52 weeks) automatically by the school's payroll provider.

However, prior to taking maternity leave the employee may voluntarily give notice and advise the school, in writing, that they intend to return on a date which is before the end of the full maternity entitlement, in which case this date is the formal expected date of return.

An Early Return to Work

Whilst on maternity leave the employee must provide 8 weeks' notice that they wish to return early. If the required notice period has not been given or a change in circumstances make this return date unmanageable, a discussion should take place to agree a mutually convenient date that is no later than the end of the AML.

An employee's return to work cannot be delayed providing they have given formal notice to return as outlined above or the return date is the end of their full entitlement (52 weeks).

Not Returning to Work

An employee can change her mind and decide not to return to work. However, if she says she will not be coming back, she should give the appropriate written notice and in doing so she has no right to change her mind.

Career Breaks (Support Staff only)

Employees seeking a career break directly following maternity leave will, if possible, let the school know of their intention to request a career break before taking maternity leave or as

soon as possible thereafter. Employees are advised not to resign and commit to a career break until after the birth. Please refer to Section 10, Guidance for Schools for further information.

Sickness on Return Date

If the employee is unable to return after AML due to ill health, as certified by a doctor, her employment continues as if she had returned from maternity leave. The absence will be treated as sick leave and handled in accordance with the Sickness Absence Management Policy.

Flexible Working Request

The school has extended its legal obligation and gives the right to request flexibility in working arrangements to all employees in relation to hours of work and times of work. Please refer to Section 9, Guidance for Schools for further information.

Breastfeeding

An employee planning to continue breastfeeding upon their return to work should make their Headteacher/Line Manager aware so that arrangements can be made, and a further risk assessment completed. The risk assessment ensure that the employee is not exposed to conditions that may affect them or their child. Whilst breastfeeding and/or expressing, paid time off will be granted as required. The school should provide facilities for breastfeeding and/or expressing milk.

Keeping in Touch

It is mutually beneficial, for the employee and the school, for contact to be maintained throughout maternity leave; to keep the employee informed of any changes and to better support the return to work. This is encouraged under the “reasonable contact” arrangements of the Maternity Regulations.

The Regulations also provide that a woman can request or be offered (without obligation) to work a maximum of 10 days during her maternity leave without bringing her maternity leave to an end. These days are known as “Keeping in Touch” (KIT) days.

Working part of a day counts as 1 full day for KIT purposes and any pay received will be offset against any SMP (daily rate) or CMP (hourly rate), which may be due. KIT days should be as close as possible in duration to a full working day, as such a head teacher should not agree to a KIT day being worked for less than the equivalent of two thirds of the normal working day other than in exceptional circumstances.

KIT days may not be worked during the 2 weeks compulsory maternity leave period.

Advice to the Employee

When an employee informs her Headteacher/Manager that she is expecting a child, they should contact the school's payroll provider immediately, ideally using the Maternity Leave Application Form - Part 1 (See [Appendix 1](#)). The payroll provider will then issue to the employee an advisory booklet which contains the necessary forms.

The employee should read the advisory booklet and meet with the Headteacher/Manager to:

- confirm the date of continuous service in order that she is advised appropriately;
- discuss the dates when she can start her maternity leave;
- ensure that she understands maternity pay and leave entitlements;
- arrange for a New and Expectant Mothers Risk Assessment ([F17 - Risk Assessment Form for an Expectant Mother at Work](#));
- discuss annual leave; its accrual during maternity leave and the effect the carry over policy;
- pension arrangements.

It is important to ensure that the employee fully understands her rights and responsibilities with regard to giving notice of her impending leave and return to work, as well as the requirement for a MAT B1 certificate (certificate of expected date of childbirth) to be given to the school's payroll provider before starting her maternity leave.

She should also be aware that if she receives full CMP, she must repay the 12 weeks half pay to the employer if she fails to return to work for the appropriate period.

It is essential the school's payroll provider be informed about any changes to contractual benefits during maternity leave.

Sick Leave Before Childbirth

Statutory Sick Pay (SSP) cannot be paid during the Maternity Pay Period, or for any period of sickness absence that is related to the pregnancy after the 4th week before the EWC. If an employee is absent due to illness connected with the pregnancy before the 4th week before the EWC, the absence should be treated as sick leave. If the employee is absent with a pregnancy related illness after the 4th week before the EWC then maternity leave and pay will commence on the first day of sickness.

If an employee is absent from work due to illness unrelated to the pregnancy after the 4th week before the EWC, the absence will be treated as sick leave provided it is covered by a Sickness Declaration and Return to Work Form or Statement of Fitness for Work.

Pensions

If the employee is a member of the Local Government Pension Scheme, deductions for pension will be made automatically on all maternity pay received during the paid period of maternity leave. Consequently, periods of paid maternity leave will count towards pension.

If an employee wishes, she can elect to pay contributions for the unpaid period of additional maternity leave when she returns to work in order that the period of additional maternity leave can be counted for pension purposes. Further information can be found by following the link: <http://www.peninsulapensions.org.uk/>.

The option to pay contributions for the unpaid period does not apply to members of the TPS, however, they can choose to buy additional pension and are advised to contact TPS for more information. Further information can be found by following the link: [Teachers' Pensions \(teacherspensions.co.uk\)](#).

Accrual of Annual Leave during Maternity Leave

For support staff paid all year round, annual leave entitlement including bank holidays will accrue throughout maternity leave. If an employee does not return to work, they will be paid in lieu for any leave accrued but not taken, subject to the carry over policy.

Where an employee's maternity leave runs across the end of a leave year, leave can only be carried across to the new leave year in exceptional circumstances and at the discretion of the Headteacher. It is useful for the Headteacher/Manager and the employee to discuss and agree, in writing, prior to maternity leave starting, how leave can be best taken.

For Employees on "Term-time only Contracts"

Support staff paid on a term-time contract are in receipt of an extra payment, incorporated into their salary, which is paid in lieu of holiday entitlement. Consequently, instead of accruing holiday during maternity leave (where entitled) this element of salary will be paid on a pro-rata basis according to the period of maternity leave taken.

For Teaching Staff

A Teacher who takes maternity leave must be able to take their statutory entitlement to annual leave (28 days, pro rata for part-time workers) outside of her ordinary and additional maternity leave.

A teacher should be advised, prior to commencing her maternity leave, that she has a statutory entitlement to 28 days annual leave and that it should be taken either before or after maternity leave periods **during school closure periods**. On her return from maternity leave, a teacher **must** be allowed to take any outstanding leave during term time during that leave year **if there are insufficient school closures** to accommodate her leave in that leave year.

Where the return from maternity leave is so close to the end of the leave year there is not enough time to take all her annual leave entitlement, a teacher must be allowed to carry over any balance of her leave to the following leave year. A teacher will be required to take this during the remaining periods of school closure after the 28 days' annual leave for the leave year has been accommodated.

Miscarriage or Still Birth

Parents who experience the death or still birth of a child will be supported through the LA's [Parental Bereavement Leave Policy \(see section 10, Guidance for Schools\)](#). In circumstances where the baby dies or is still born after the 24th week of pregnancy then normal maternity entitlements will apply.

Where miscarriage or still birth occurs earlier than the 24th week sympathetic consideration will be given to compassionate leave. In the event of a miscarriage the employee's protected period, as laid out in the Equality act 2010, will last for two weeks following the event.

A 'Miscarriage and Workplace Guide' can also be found on the Miscarriage Association website which is for managers with employees who have been affected by miscarriage.

Health and Safety Provisions

Pregnant employees, recent mothers or women who are breastfeeding are covered by special Health and Safety provisions. This additional protection applies from the time the

employee notifies the Headteacher/Manager that she is pregnant until 6 months from the date of childbirth, or until they stop breastfeeding, whichever is the later date.

Where an unacceptable risk is identified in the workplace during the period detailed above, the Headteacher/Manager must take any preventative or protective measures required by other health and safety legislation to eliminate the risk. Where this does not avoid the risk, then the following options will apply in the order stated to remove the employee from the risk:

1. Temporary adjustment of the working conditions; or if this is not possible;
2. Redeployment to another job, or if this is not possible;
3. Paid leave.

It is envisaged that in the majority of cases the first option will remove the risk, and that only in exceptional circumstances would the third option be used.

Statutory Paternity Leave

Paternity/Parental Support Leave (PSL) provisions are designed to allow employees to take a leave of absence from work to undertake responsibilities associated with childcare and to encourage their return to work with Somerset Council. Paternity/PSL is available for the second biological parent, partner, civil partner/spouse, or nominated person who will provide care to the expectant individual, to take up to two weeks' paid leave at any point within the first year following the birth, or placement of an adopted child.

An employee qualifies for statutory paternity leave of up to 2 weeks (pro rata for part time employees) as a day 1 right as long as they meet the following conditions:

- The absence from work is for the purpose of caring for the child or supporting the mother/primary adopter.
- The employee must have, or expect to have, responsibility for the upbringing of the child.
- He or she must be the biological father, the mother's husband or partner (including same sex relationships), the child's adopter or the husband or partner (including same sex relationships) of the child's adopter.

Leave must be taken within one year after the child is born or within one year of the date of the child's placement and can be taken in blocks of either 1 week or the full 2 weeks. A week is based on the employee's usual working pattern. Requests for this type of leave should be made by completing the Paternity Leave & Support Leave application form at Appendix 2

Special arrangements apply if the baby is born prematurely, see neo-natal leave.

An employee is not entitled to additional Paternity/PSL if they are expecting more than one child. This also applies to multiple adoptions that occur in a single placement.

Statutory Paternity Pay (SPP)

In order for an employee to qualify for Statutory Paternity Pay, they must have 26 weeks continuous service by the end of the 15th week before the Expected Week of Childbirth or they must have been employed continuously for 26 weeks up to and including the week they are matched with a child for adoption. The following must also apply:

- The employee must continue to be employed at the school without a break up to the date the child is born or placed for adoption.
- The employee's average weekly earnings must be equal to or more than the lower earnings limit (before tax).

SPP is paid for 1 or 2 weeks at the current Statutory Paternity Pay rate or 90% of their average weekly earnings, if this is less.

To qualify for Statutory Paternity Leave and/or Statutory Paternity Pay, the employee must complete the Paternity Leave and Parental Support Leave Application Form (Appendix 2) (including a copy of the MAT B1 form as evidence) to their Headteacher/Line Manager 4 weeks (28 days) before they wish to take the leave (or as soon as is reasonably practicable in the case of adoption or a premature birth).

An employee who has given notice of his or her intention to take a period of ordinary paternity leave to care for the new child or support the primary adopter must, if asked to do so by the employer, sign a declaration confirming the nature of his or her relationship with the child and its mother or adopter and asserting that he or she has (or expects to have) the main responsibility (apart from the responsibility of the mother or primary adopter) for the child's upbringing.

Employees may change their mind about the date on which they intend to start their paternity leave but must provide details of the amended start date at least 28 days before the date in question (or as soon as is reasonably practicable, in the case of a premature birth, if they are not in a position to give the prescribed 28 days' notice).

Parental Support Leave

Contractual Parental Support Leave (previously known as maternity support leave) of 5 days with pay (pro rata for part time employees) will be granted to the child's second biological parent, or the partner, civil partner/spouse, or nominated person who will provide care to the expectant mother at or around the time of birth. Please note that parental support leave is not available to employees in cases of adoption.

There is no service qualification for this entitlement. Requests for this type of leave should be made by completing the Paternity Leave & Support Leave application form at Appendix 2.

Options Available to Employees

Parental support leave and paternity leave are corresponding rights. This means that an eligible employee is not entitled to take both in full but can take advantage of the best parts of each. Two different people may not take the leave.

Depending on eligibility, the options that are open to employees are:

- 1 week's parental support leave (up to 5 days paid leave pro rata).
- 2 weeks statutory paternity leave (paid at SPP).
- 1 week's parental support leave (up to 5 days paid leave pro rata) and 1 week's statutory paternity leave (paid at SPP).

Regardless of the option selected the maximum leave that is available to employees is a total of 2 weeks.

No formal contractual provisions exist for teaching staff, but Governors may use their discretion to allow paid time off. If granted, teachers will be entitled to 1 week's leave with contractual pay and 1 week's leave paid at the standard rate of SMP.

Neonatal Leave

An employee is eligible for neonatal leave if their baby requires neonatal care within 28 days of their birth (and is in hospital for 7 days or more) or is born prematurely (more than 4 weeks early). The employee will be offered special leave (and pay at the statutory parental leave rate) of one week off per week that the baby receives neonatal care up to a total of 12 weeks. Neonatal leave can be taken in addition to paternity leave.

Shared Parental Leave

New parents and adoptive parents are entitled to statutory shared parental leave if they meet certain eligibility requirements. Shared parental leave enables an employee to commit to ending their maternity or adoption leave and pay at a future date and to share the untaken balance of leave and pay with their partner, or to return to work early from maternity or adoption leave and opt into shared parental leave and pay at a later date. Further information can be found in Guidance for Schools Section 8c – Shared Parental Leave Guidance.

MATERNITY LEAVE APPLICATION
Confirmation of Maternity Leave Dates

1. Initials: Surname:	Service Area/School: Workplace:
2. Employee number (SAP): 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 ☐ NO ☐	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 20th week of your pregnancy. You will not receive Statutory Maternity Pay (SMP) if HR Admin and Payroll Services do not have your MAT B1.
4. Maternity Leave: I intend to take Ordinary Maternity Leave (OML) <u>only</u>: ☐ I intend to take Ordinary Maternity Leave and I also intend to take Additional Maternity Leave (AML): ☐	Ordinary Maternity Leave (OML) lasts for 26 weeks and Additional Maternity Leave (AML) lasts for a further 26 weeks giving one year's leave in total.
5. Contractual Maternity Pay By the beginning of the 11th week before my baby is due (i.e. when I am 29 weeks pregnant) I will have at least one year's Local Government service YES ☐ NO ☐ I intend to return to work at the end of my maternity leave YES ☐ NO ☐	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 other way.

If entitled to contractual maternity pay, I wish to receive the 12 weeks half pay element when: I am on OML ☐ OR I return to work ☐	If you do not return to work for 3 months you will need to repay the 12 weeks half pay element received. HR Admin and Payroll can delay this payment until you return if you wish.
6. I wish my maternity leave to start on: (Date)	This must be no earlier than the 11th week before the expected week of childbirth. You must give 28 days' notice of the date you intend to start maternity leave. If this date changes you must inform HR Admin and Payroll ASAP.
7. I am entitled to Maternity Allowance YES ☐ NO ☐	You will need to confirm to HR Admin and Payroll Services in writing the actual amount you are to be paid. This information can be obtained from your local Jobcentre Plus.
8. I am due back to work on (Date)	This is the date your AML ends. If you cannot return because you are sick, normal rules on sickness absence leave will apply. If you decide to return to work before the end of your maternity leave period, you must give us 21 days' notice.
9. Shared Parental Leave I intend to curtail my Maternity Leave and take Shared Parental Leave YES / NO / DON'T KNOW <i>(delete as appropriate)</i>	This section is non-binding but is intended to start a discussion between you and your Manager regarding any intention to consider Shared Parental Leave.

10. Confirmation of Information Signed Date	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. If you do not return to work for 3 months, you will be required to repay any contractual maternity pay received or it will be offset against any monies which may be due to you.
10. Authorisation To be completed by the Manager Signed: Date: Name (Print): Contact Tel No:	Please ensure you have discussed arrangements for taking annual leave and held an informal appraisal. You should discuss arrangements for 'keeping in touch' (including if eligible KIT days) whilst the employee is on maternity leave.

**On completion, this form and the MAT B1 Certificate should be sent to:
HR Admin and Payroll Services, County Hall, Taunton, TA1 4DY**

PATERNITY LEAVE AND MATERNITY SUPPORT LEAVE APPLICATION

1. Initials: Surname:	School:
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 Local Government Service: YES ☐ NO ☐ I intend to take 2 weeks Paternity Leave ☐ OR I intend to take 1 week's Paternity Leave and I also intend to take 1 week's Maternity Support Leave ☐ OR I intend to take 1 week's Maternity Support Leave only ☐	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 must be taken within 52 weeks of the birth. Maternity Support Leave does not have a service qualification and unlike Paternity Pay is at full pay. Statutory Paternity Pay is set by the Government in April each year. Maternity Support Leave and Paternity Leave are corresponding rights, so you are unable to take 2 weeks' Paternity Leave and 1 weeks' Maternity Support Leave. .
5. Date Leave to start (if known) I wish my Paternity Leave/ Maternity Support Leave to start on (Date)	Paternity Leave must be taken within 52 weeks of the birth.

6. Declaration for Paternity Leave only (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. YES ☐ NO ☐ (ii) I have responsibility for the child's upbringing: YES ☐ NO ☐ (iii) I will take time off to support the mother of the child: YES ☐ NO ☐	You must be able to tick 'YES' to all 3 questions to be eligible for statutory Paternity Pay and Paternity Leave. If you are not due Statutory Paternity Pay, your payroll provider will send you a SPP1 Form to complete.
7. Employee's signature Signed: Date:	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.
8. Authorisation To be completed by the Headteacher/Manager Signed: Date:	On completion this form, and the MAT B1 Certificate, should be sent to your payroll provider.

To:
Payroll Provider

KEEPING IN TOUCH DAYS PAYROLL NOTIFICATION

To be completed by the employee and authorised by the Headteacher/Line Manager at the end of each period of employment.			
Initial:		School:	
Surname:		Department:	
Employee No:			
NI Number:		GL Code:	

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

DATE		HOURS (Max 7.5 per day/Support Staff) (Max 6.48 per day/Teachers)	KIT DAYS (10)		AUTHORISED MANAGERS' SIGNATURE
From dd/mm/yy	To dd/mm/yy		Taken	Remaining	

The manager should forward this to your Payroll Provider and give a copy to the employee.

NEW AND EXPECTANT MOTHERS AT WORK HEALTH AND SAFETY GUIDANCE FOR LINE MANAGERS

Many women work while they are pregnant, and many return to work while they are still breastfeeding. The Management of Health and Safety at Work Regulations (MHSWR) specifically require a dedicated risk assessment to be carried out for each new and expectant mother in order to take particular account of the risks associated with her work activities and to identify the measures necessary to control them. Risks include those to the unborn child or child of a woman who is still breastfeeding, not just risks to the mother herself ([HS017 - New & Expectant Mothers at Work Policy](#)) ([F17 - Risk Assessment Form for an Expectant Mother at Work](#)).

The Regulations require an employer to undertake the dedicated risk assessment after being given written notification of the pregnancy (and/or breastfeeding) by the employee but allow the employer to request confirmation from a registered medical practitioner or registered midwife if deemed necessary. However, it should be emphasised that the 'mainstream' risk assessments undertaken in accordance with the more general requirements of MHSWR should also take account of the risks to new and expectant mothers where appropriate. If, therefore, any activity involves 1 or more of the hazards identified in the risk assessment checklist shown on the following pages, the general risk assessment for that activity should state that the hazard(s) can have an adverse effect on new and expectant mothers or breastfeeding and unborn children and that the written notification should, as a result, be submitted as early as possible.

The phrase 'new or expectant mother' means an employee who is pregnant, who has given birth within the previous 6 months, or who is breastfeeding. 'Given birth' is defined in the Regulations as 'delivered a living child or, after 24 weeks of pregnancy, a stillborn child'. There is no time limit on the period of breastfeeding - this will be for the mother herself to decide.

If, after the introduction of control measures, there is still a significant risk at work which goes beyond the level of risk to be expected outside the workplace, it will be necessary to either a) change the employee's working conditions or hours, b) offer her suitable alternative work, or if that is not possible, c) give her paid leave for as long as necessary to protect her health and safety and/or that of her child. These actions will only be necessary where there is genuine concern. If there is any doubt, professional advice may need to be sought.

The situation will need to be reviewed regularly by the Headteacher/Line Manager and appropriate action taken. Even with the hazards remaining constant, the risks arising from them could change depending whether the worker is pregnant, has recently given birth or is breastfeeding. Furthermore, the stage of pregnancy will have a bearing. Postural problems can develop, and the growing unborn child can restrict blood flow to the mother's lower limbs. Dexterity, agility, co-ordination, speed of movement, reaches and balance may all be impaired because of her increasing size. Lone working becomes undesirable in the later stages of pregnancy. If there is any significant change to her work activity, a complete re-assessment will be necessary.

As well as the hazards covered in the accompanying dedicated risk assessment checklist, other aspects of pregnancy the Headteacher/Line Manager may need to consider are shown in the table below.

ASPECTS OF PREGNANCY	FACTORS TO CONSIDER
Morning sickness	Exposure to nauseating smells Early shift work
Backache	Standing/manual handling/posture
Varicose veins	Standing/sitting
Haemorrhoids	Working in hot conditions
Frequent visits to the toilet	Difficulty in leaving job/site of work
Increasing size	Manual handling Work in restricted areas Use of protective clothing
Tiredness	Overtime Evening work
Balance	Problems working on slippery, wet surfaces
Comfort	Problems wearing tightly fitting work clothing