



Education Trust

'Inspiring the individuals of today, for a better society tomorrow'

RET MATERNITY POLICY

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Definitions/Meanings:

EWC	Expected Week of Childbirth – the week in which the baby is expected to be born
OML	Ordinary maternity leave, i.e. covers weeks 1 - 26 of maternity leave
AML	Additional Maternity Leave, i.e. covers weeks 27 - 52 weeks of maternity leave
SMP	Statutory Maternity Pay
MA	Maternity Allowance
SAP	Statutory Adoption Pay
OAL	Ordinary adoption leave, i.e. covers weeks 1 - 26 of adoption leave
AAL	Additional adoption leave, i.e. covers weeks 27 – 52 of adoption leave
SPP	Statutory Paternity Pay

MATERNITY SCHEME

This scheme adopts provisions provided through statutory requirements (Law) and agreed National Conditions of Service (i.e. 'Green Book' Conditions of Employment). It also adopts provisions provided through the Conditions of Service for School Teachers in England and Wales (i.e. 'Burgundy Book').

An expectant mother has certain rights under the law. These rights are as follows:

- The right not to be unreasonably refused (paid) time off work to attend appointments for antenatal care.
- The right not to be dismissed or discriminated against for any reason connected with pregnancy or maternity leave.
- The right to receive maternity pay.
- The right to take maternity leave and return to work.
- Special considerations to health, safety and welfare whilst pregnant, following childbirth and/or breastfeeding.

Maternity rights apply equally to full-time and part-time employees regardless of the number of hours worked; however, certain entitlements may be dependent on length of service.



Notification requirements

Early notification will assist the Head of School/Line Manager to comply with relevant health and safety requirements and to enable them time to make arrangements to cover the absence during maternity leave.

Notification must be made no later than the end of the 14th week before the expected week of childbirth (EWC) or as soon as is reasonably practical.

Notification should be provided **in writing** and should include:

- Confirmation that the employee is pregnant.
- The week the baby is expected to be born.
- When the employee wishes maternity leave to start.
- Confirmation of the employee's intentions to return to work.

An expectant mother will be **able to change her mind** about when she wants to start her leave provided she provides **notification at least 21 days** in advance (unless this is not reasonably practicable).

The employee will then receive formal acknowledgement giving an indication of what entitlement to maternity pay she should expect and the date on which she is expected to return to work.

Evidence of maternity

The employee should provide the school with the original MATB1 certificate issued by their doctor/midwife no later than the end of the 14th week before the EWC. This certificate is required to confirm when the baby is due and to authorise maternity leave/pay.

The MATB1 is usually issued around the 20th week of pregnancy. If the MATB1 is issued before this date it will be invalid for pay purposes and will be returned to the employee for the doctor/midwife to recertify.

The MATB1 should be provided by the Employee no later than 28 days before the expectant mother intends to **start her maternity leave** in order for the Payroll Section to determine whether SMP is payable by the School. If the expectant mother does not qualify for SMP from the School, the Payroll section will return the MATB1 certificate for the expectant mother to give to the Benefits Agency/Jobcentre Plus to claim maternity pay.



If the employee does not provide the required notification and evidence, maternity pay cannot be paid and will be withheld until the correct notification is received. To avoid overpayment - normal pay will cease from the start of the maternity leave.

Upon receipt of the MATB1, a 'Confirmation of Maternity Pay' letter will then be sent out to the employee, usually around 4 weeks before the start date of her maternity leave giving a full breakdown of maternity pay and benefits (if entitled).

Health and Safety of New and Expectant Mothers

Although formal notification of pregnancy is not required until 28 days before maternity leave begins, an expectant mother is **advised to inform her line manager as soon as she learns that she is pregnant**. This is in the employee's interests, and as such notification may instigate action **to safeguard the well-being of the mother-to-be and her unborn child**. The School would be in breach of statutory obligations if it allowed an employee who it knows to be pregnant to expose herself or her unborn child to injury or disability. Early notification enables the line School to **carry out necessary risk assessments** and assist the employee in **arranging suitable time off for antenatal care**.

If the expectant mother is found to be at risk at any time during her pregnancy, during the 6 months following the birth of her child, or whilst she is breastfeeding the following steps will be taken:

- temporary adjustment to working conditions and/or hours of work; or if that is not possible,
- offer of suitable alternative work; or if that is not feasible,
- suspension from work for as long as necessary to protect her or her child (if continuously suspended for the duration of the pregnancy, maternity leave will begin at the point the expectant mother intends her maternity leave to begin in normal circumstances or at the time of childbirth, whichever is earlier).

These provisions do not apply where the expectant mother is signed off sick by her GP, but rather where she can come to work but is unable to perform her particular job duties for pregnancy-related reasons.

Further guidelines and information regarding Risk Assessments for New and Expectant Mothers are available from the Health & Safety Executive (HSE) - <https://www.hse.gov.uk/mothers/>.

Antenatal Care

An expectant mother is entitled, regardless of her length of service or number of weekly hours worked, **not to be unreasonably refused** time off work for **antenatal care** if she has been advised to attend such an appointment by a GP, midwife or health visitor. Such time off will be on **full pay**, the expectant



mother will **not be required to make up the hours** lost and the amount of time off will **include any reasonable time required to travel to/from appointments as well as the appointment itself**.

Time off to attend 'antenatal classes', which include relaxation, aqua-natal and parent-craft classes, will only be regarded as reasonable if they are **specifically recommended by a midwife**, GP or health visitor and where they cannot be attended outside of normal working hours.

The expectant mother should **provide reasonable notice to request time off** for attending antenatal appointments. The expectant mother may be asked to provide her line manager with an appointment card each time she requests time off work.

From 1 October 2014 employees and agency workers who have a qualifying relationship with a pregnant woman or an expected child are entitled to take time off work to accompany that pregnant woman at up to two antenatal appointments.

Employees will have the right from day one of their employment. The right to time off is capped at a maximum of six-and-a-half hours on each occasion, which can include travelling time, waiting time and attendance.

An employee has a qualifying relationship with a pregnant woman or her expected child if he or she:

- is the husband or civil partner of the pregnant woman;
- lives with the pregnant woman in an enduring family relationship, but is not her parent, grandparent, sister, brother, aunt or uncle;
- is the father of the expectant child; or
- is an intended parent in a surrogacy situation who meets certain conditions.

The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse.

The employee should **provide reasonable notice to request time off** to accompany a pregnant woman at antenatal appointments. The employee should provide the school with an appointment card each time he/she requests time off work.

Time off to attend ante-natal appointments will be paid. Employees wishing to request this time off must provide a record of this to the school.

Sick Leave

Maternity leave **will start automatically** if the expectant mother is absent from work for a **pregnancy-related illness** during the **4 weeks before the start of her EWC**, regardless of when she has said she



wants her maternity leave to start. Such sickness absence may affect the return to work date. Sickness absences that are not pregnancy-related will not automatically trigger maternity leave and will count as normal sickness absence. Maternity leave and pay commences on the day after the first complete day of absence from work.

MATERNITY LEAVE

Maternity leave may not start before the 11th week before the EWC (or from the time of childbirth if that is earlier).

All women will have the right to 52 weeks of maternity leave in total.

The following table explains the different types of maternity leave available:

Type	Qualifying service	Duration
Compulsory Maternity Leave	NONE	2 weeks 2-week period immediately following childbirth (including a child who is stillborn at any time after 24 weeks of pregnancy). It is unlawful to allow a woman to return to work during the compulsory maternity leave period. Compulsory Maternity Leave is <u>included</u> within the entitlement to Ordinary and Additional Maternity Leave detailed below.

Type	Qualifying service	Duration
Ordinary Maternity Leave	NONE	26 weeks.
Additional Maternity Leave	NONE	26 weeks. The 26 weeks immediately follows on from Ordinary Maternity Leave. (Ordinary and Additional Maternity Leave = 52 weeks total)



Other than Compulsory Maternity Leave, a mother may choose to take less than the full entitlement provided. There is also the option for eligible parents to take Shared Parental Leave following the birth or adoption of a child. Further details are contained in the Trust’s Shared Parental Leave Policy.

A flowchart showing an overview of the Maternity Leave entitlement is contained at the end of this document.

Planned maternity leave can start on any day of the week. SMP will therefore start to be paid on the day the expectant mother specifies in her maternity notice letter, provided she starts her maternity leave on this day. However, **if the baby is born more than 15 weeks before the EWC** or before the planned start of maternity leave, maternity leave and pay will commence the day after the birth and the weeks will run on a rolling 7-day basis (i.e. if the baby is born on a Monday, maternity leave and pay commences on Tuesday and the mother's 'maternity pay weeks' run from Tuesday to Monday).

MATERNITY PAY

The Maternity Pay Period lasts 39 weeks. It starts on the same day as maternity leave starts.

Rates of pay and how they are paid are dependent upon length of service and earnings. The amount of maternity pay received is based upon **average earnings in the 8 weeks up to and including the ‘qualifying week’**.

The following will apply to maternity pay entitlement:-

Type	Qualifying service	Duration/Amount
Statutory	<p>Employed by the current school (current employer) for at least 26 weeks into the 15th Week before the EWC (known as the Qualifying Week);</p> <p>To have worked in the Qualifying Week and earned at least as much as the lower earnings limit for paying National Insurance Contributions.</p>	<p>Statutory Maternity Pay (SMP):*</p> <ul style="list-style-type: none"> ● 6 weeks at 90% of salary (weeks 1 - 6) ● 33 weeks at the SMP rate per week (weeks 7 – 39) <p>See Maternity, Adoption, Support (Paternity) Pay Guidelines for Pay Rates from 1st April.</p>
Contractual	1 year’s Local Government	<ul style="list-style-type: none"> ● 6 weeks (weeks 1 – 6) at 90% salary



<p>(Green Book – applies to all support staff)</p>	<p>service at the 11th week before the EWC.</p>	<p>(offset against SMP or MA payments)</p> <p>Followed by:-</p> <ul style="list-style-type: none"> ● 12 weeks Half Pay (from week 7). The entitlement to Half Pay is fully recoverable if the employee does not return to work for the School for three complete months (immediately following maternity leave, and any other leave that is taken following on from a period of maternity leave for instance, parental leave) <p>and</p> <ul style="list-style-type: none"> ● 33 weeks (weeks 7- 39) of SMP weekly rate, if entitled. SMP is in addition to Contractual Maternity Pay (Half Pay) but Half Pay plus SMP cannot exceed full pay.
<p>Contractual (Burgundy Book – applies to all school teachers)</p>	<p>1 year’s Local Government service at the 11th week before the EWC.</p>	<ul style="list-style-type: none"> ● 4 weeks (weeks 1 – 4) at full salary (offset against SMP or MA payments). ● 2 weeks (weeks 4 – 6) at 90% salary (offset against SMP or MA payments) <p>Followed by:-</p> <ul style="list-style-type: none"> ● 12 weeks Half Pay (from week 7). The entitlement to Half Pay is fully recoverable if the employee does not return to work for the School for three complete months (immediately following maternity leave, and any other leave that is taken following on from a period of maternity leave for instance, parental leave). <p>and</p> <ul style="list-style-type: none"> ● 33 weeks (weeks 7- 39) of SMP weekly rate, if entitled. ● SMP is in addition to Contractual



		Maternity Pay (Half Pay) but Half Pay plus SMP cannot exceed full pay.
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An expectant mother who wishes to discuss a variation in the distribution of the 12 weeks Half Pay entitlement during the remaining weeks of her maternity pay period should contact her employer.

Any variation must be mutually agreed between the expectant mother and the employer.

MATERNITY ALLOWANCE

Expectant mothers who are not entitled to SMP may be entitled to Maternity Allowance (MA) which is paid by the Benefits Agency/Jobcentre Plus Office. The payroll section confirms whether an expectant mother qualifies for SMP.

An SMP1 form and further information are available at the following link. Employers should use this information to assist an expectant mother who does not qualify for SMP.

[SMP1 Form](#)

SHARED PARENTAL LEAVE

From 5 April 2015, eligible parents can share maternity or adoption leave and pay under Shared Parental Leave arrangements. Shared Parental Leave enables parents 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 as Shared Parental 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.

Employees can refer to the School's policy on Shared Parental Leave, where they will find full details of the eligibility requirements, as well as instructions as to how the parents' maternity or adoption leave can be curtailed.

NEONATAL CARE AND PAY

From 6 April 2025, employees whose babies require specialist neonatal care after birth may be entitled to Neonatal Care Leave and Pay, in addition to existing maternity or parental leave rights.

Eligibility

Employees are entitled to Neonatal Care Leave if:

- Their baby is admitted to the hospital for neonatal care (specialist care provided to babies born prematurely or with health complications) within the first 28 days of life, and
- The admission lasts for 7 continuous days or more.



- Neonatal Care Leave is available from day one of employment and is applicable per child, allowing for multiple births or multiple qualifying admissions.

Leave Entitlement

- Up to 12 weeks of Neonatal Care Leave can be taken.
- Leave must be taken within 68 weeks of the child's birth.
- Leave can be taken in weekly blocks, either consecutively or non-consecutively, depending on circumstances.

Statutory Neonatal Care Pay (SNCP)

Employees may be entitled to SNCP if they:

- Have been continuously employed for at least 26 weeks by the end of the qualifying week (the 15th week before the expected week of childbirth),
- Earn at least the Lower Earnings Limit for National Insurance contributions,
- Are the parent of the baby or meet the qualifying parental responsibility criteria.

Statutory Neonatal Care Pay is paid at the statutory rate or 90% of the employee's average weekly earnings, whichever is lower, for up to 12 weeks.

Requesting Neonatal Care Leave

Employees should inform their line manager or HR as soon as reasonably practicable and provide:

- The start date of the neonatal care,
- Evidence of hospital admission (such as a hospital letter or discharge summary),
- An indication of the intended period of leave (if known).

The Trust will confirm the employee's entitlement to leave and pay in writing.

Interaction with Other Leave

Neonatal Care Leave is a standalone entitlement and does not affect other types of statutory or contractual leave such as Maternity Leave, Paternity Leave, Shared Parental Leave, or Adoption Leave.

Employees are encouraged to speak with HR to discuss their circumstances and explore the best combination of leave options available.



TERMS AND CONDITIONS DURING MATERNITY LEAVE

During the period of Ordinary and Additional Maternity Leave **terms and conditions of employment, apart from receipt of normal pay, continue.** This includes, for example, accrual of annual leave and any other contractual benefits that the employee may be receiving, such as payment of child-care vouchers. The employer's duty of trust and confidence, and any terms which relate to notice of termination by the employer, redundancy pay, grievance and disciplinary procedures will also continue. The employee's duty of good faith is maintained, as are any terms relating to notice of termination, disclosure of confidential information, the acceptance of gifts or other benefits, and involvement in any other business.

Pay awards and other improvements to benefits continue in the normal manner as if the employee was still at work.

Statutory Annual Leave for Teaching Staff

Teachers do not have a contractual entitlement to paid annual leave nor a specified annual leave year, however, they are entitled to 28 days' statutory annual leave under the Working Time Regulations.

This means that a teacher who takes maternity leave must be able to take the 28 days statutory annual leave at a time outside of her maternity leave. The school may not treat any part of the maternity leave period i.e. ordinary maternity leave (OML) or additional maternity leave (AML), as annual leave;

Annual leave entitlement can be offset by any period of school closure that has taken place in the leave year in question, i.e. both before and after the maternity leave period, and a teacher should be advised before commencing her maternity leave that she has a statutory entitlement to 28 days annual leave and that this should be taken either before or after the maternity leave period 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 that 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 can be required to take this during the remaining periods of school closure after the 28 days' annual leave for that leave year has been accommodated;

It is not possible for either the teacher or the school to decide to carry over the annual leave into the next leave year if there is time to take the leave in the current leave year i.e. in school closures or in term time.



It will not usually be possible for a teacher to obtain payment in lieu of untaken annual leave instead of taking leave during the leave year. As an employee has 28 days' leave under the Working Time Regulations 1998, the accrual of leave is not affected by what stage of maternity leave an employee is at or whether they are receiving pay.

Term Time only (or plus) Staff

Where support staff are concerned, schools should have regard to ensuring that their employees do not lose out on their entitlement to paid annual leave whilst on Maternity Leave. In instances where an employee is contracted term time only, leave is expected to be taken during the school closure periods when the employee does not work. A pro rata payment in respect of annual leave and bank holidays is included in the salary. The entitlement to annual leave will usually be offset against any non-working periods falling before or after the employee's period of maternity leave. Where an employee in school would be deemed to be on annual leave during a period of school closure but cannot take this because she is on maternity leave, the school may need to make alternative arrangements to ensure this employee receives their entitlement to paid leave. Any school wishing to clarify the arrangements for individuals should contact Human Resources for advice.

PENSIONS

If the employee is a member of the **Teachers' Pension Scheme**, such absence is treated as pensionable employment as long as the teacher receives a salary. However, where a teacher receives no pay (for example where they have extended their leave into Additional Maternity Leave), this period does not count as pensionable employment and must be excluded and will not count towards their pensionable service. Teachers' Pension Scheme members are advised to contact Teachers Pensions directly for further advice.

If the employee is a member of the **Local Government Pension Scheme**, pension contributions will be paid and deducted from pay in the usual manner and at the same percentage rate during the period of paid maternity leave. An employee will need to notify the Payroll section if they wish to pay contributions for the unpaid period of maternity leave and this notification can be made when completing the Maternity Leave Plan. Deductions for unpaid periods can only be made once work is resumed and the employee is in receipt of pay.

SPECIAL CONSIDERATIONS

If a mother has a stillbirth from the start of the 25th week of pregnancy onwards, she would be eligible for maternity leave and pay in the usual way. If a mother gives birth prematurely to a living child, even in cases where the baby later dies, at any point in her pregnancy, she will be entitled to maternity leave and pay in the usual way.



RETURN TO WORK

An employee who has taken maternity leave is entitled to **return to the same job on terms and conditions of employment as if they had not been absent**. Where it is not practicable, for instance by reason of redundancy, for the School to permit the employee to return to work in her job, the employee shall be entitled to be offered a suitable alternative vacancy where one exists.

Consideration will be given to the **full range of flexible working arrangements when requested by a woman returning to work after maternity leave**, including a **temporary reduction in hours**. Any adjustments should be discussed with the line manager as soon as reasonably practical and made in accordance with procedures.

Consideration will be given to introducing the employee back to the workplace by providing any necessary training or updating.

Unless otherwise notified, it will be assumed that the employee will return to work at the end of her maternity leave as stated in the Maternity Leave Plan and Confirmation of Maternity Letter provided by Payroll. The employee is therefore expected back to work on the next working day after maternity leave finishes. NB. Where an employee's maternity leave ends during a period of school closure, this will still be deemed as being back to work.

Payroll will need to be informed by the employee's line manager when the employee is due back to work in order to ensure that she is paid correctly and on time.

Where the employee is granted a period **of annual leave or parental leave** at the end of the maternity leave period, the employee will be regarded as 'back to work' following maternity leave and on annual or parental leave etc. Normal procedures and entitlements apply when booking any other leave at the end of maternity leave.

Notification of Early Return to Work

If an employee wishes to return to work early or change the previously notified date of return, they must give at least 21 days' notice of this alternative date.

If an employee returns to work before the end of the period in which she is entitled to receive any maternity pay (which currently lasts 39 weeks), she will not receive the full entitlement to maternity pay and will instead receive pay in accordance with her contracted hours.

If the employee does not give the required notice, the School reserves the **right to postpone** her return until the required notice has been given, or up until the day she would have been expected back.



An employee who does not want to return to work following maternity leave should give the School notice as per their terms and conditions of employment. Once resigned, the employee loses her statutory right to return to work after maternity leave and any contractual 'Half Pay' entitlement will be lost. Annual leave will accrue up to the last day of service and not the last day worked.

Sick Leave – at the end of maternity leave

If an employee is unable to return to work at the end of her maternity leave because of sickness, then the period of maternity leave will end and the absence will be treated as sick leave and the normal sickness absence procedures apply.

Return to Work following a Resignation and a Break for Maternity Reasons

Where an employee returns to local government service following a break for maternity reasons, she will be entitled to have previous service taken into account in respect of the sickness and maternity schemes, provided that the break in service does not exceed eight years and that no permanent paid full-time employment has intervened. For the calculation of entitlement to annual leave the eight years' time limit does not apply, provided that no permanent full-time employment has intervened.

Working during Maternity Leave

An employee will be able to work up to 10 days during her maternity leave without bringing her maternity leave to an end ('work' is defined as any work done under a contract of employment and may include training or any activity undertaken to keep in touch with the workplace). This will also extend to her entitlement to receive SMP and **provided that the employee works no more than 10 days during her maternity leave, she will not lose any SMP**. Any work carried out whilst on maternity leave will not have the effect of extending the period of maternity leave.

Any time worked as a 'Keeping in Touch Day' will be paid at the employee's normal full rate of contractual pay and will be paid in hours. The payment will be off-set against any SMP payment that the employee may be receiving. Working for part of a day will be recorded as one full Keeping in Touch day, e.g. if the employee works for 2 hours, this will be recorded as one Keeping in Touch day and will count against their 10 day allocation.

Payroll should be informed of 'Keeping in Touch' days worked via the MyView Payroll system (for schools using Torbay Council's Payroll Service).

The School cannot insist that the employee carries out any work and is protected from suffering a detriment or being dismissed for refusing to do so. Equally, an employee cannot insist on being given any work to do.



Under no circumstances should the employee be expected to work nor should she expect to carry out work during the first two weeks following the birth of the child (during compulsory maternity leave). It is an offence to permit an employee to work during this period.

Contact During Maternity Leave

It is reasonable to expect that the employee and the School should remain in contact during the employee's period of maternity leave. This does not constitute 'work' and therefore does not form part of the 10 working days described above nor does such contact bring the maternity leave period to an end. This contact time aims to keep the channels of communication open between the employee and their manager during the leave period and also ensures that the employee is kept informed of workplace issues. Typical issues that *may* be discussed are: significant changes/workplace developments, training opportunities, job vacancies, return to work arrangements and any other work issues which may affect the employee. An employee's informal visits to her office location/normal place of work may also constitute contact time. A flowchart showing an overview of Maternity Rights and the process to be followed is contained at the end of this document.



Maternity Process Flowchart

The employee informs the manager that she is pregnant.

The employee is entitled to paid time off for antenatal care.

Health and Safety risk assessment is organised by the Manager (usually around 12 weeks and reviewed at 28 weeks or sooner, as necessary and completed by HR)

The pregnant employee must notify her manager of her intention to take maternity leave by the 15th week before the Expected Week of Childbirth, including her maternity leave start date, unless this isn't reasonably practical.

HR sends an acknowledgement letter and maternity information to the employee.

Employee provides **Original MATB1** form to Employer (usually this is received from the GP or midwife following the 20th week of pregnancy).

4 weeks before maternity leave starts - Payroll calculate employee's entitlement to maternity pay in full – employee receives '**Maternity Pay Confirmation Letter**'.

If employee is absent from work with a pregnancy related illness during the 4 weeks before EWC, maternity leave starts automatically.

If the baby is born before the date the employee has notified their employer, maternity leave starts automatically and the employee must notify her manager of the date of birth as soon as is reasonably practical

The employee starts maternity leave – the earliest start date is the 11th week before EWC.

If employee works during maternity leave, Manager must notify HR in order for employee to get paid (up to 10 days can be worked without bringing SMP to an end).

Employee has **the right to return to the same job on terms and conditions of employment as if they had not been absent***.

Accrual of Annual Leave during Maternity Leave, or Adoption Leave for School Teachers

Teachers are entitled to 28 statutory day's annual leave per year under the Working Time Regulations (from 1st April 2009). In most cases they will have had their leave entitlement in periods of school closure before or after maternity or adoption leave. However, assuming that the leave year for accrual of annual leave entitlement is from 1 September, in line with the academic year, the following examples would apply.

Scenario 1

The teacher starts maternity or adoption leave on 1 October and takes Ordinary Maternity Leave (OML) or Ordinary Adoption Leave (OAL) only.

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
		OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL					
School Closures		1wk		2wks Xmas		1wk		2wks** Easter	1 wk		2wks	4wks

** *March or April*

The teacher will benefit from up to 9 weeks of closure during Easter, July and August so there will be no additional entitlement to annual leave.

Scenario 2

The teacher starts maternity or adoption leave on 1 March and takes Ordinary Maternity Leave (OML) or Ordinary Adoption Leave (OAL) only.

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
							OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL
School Closures		1wk		2wks Xmas		1wk		2wks** Easter	1 wk		2wks	4wks

The teacher will already have had the benefit of 4 weeks (20 days) of school closure in October, December and February. There will be an additional entitlement of 8 days which will be carried over to the next leave year as the teacher is returning on 1 September. This will be taken following the first 28 days of annual leave entitlement in school closure periods.



Believe and Achieve

Scenario 3

The teacher starts maternity or adoption leave on 1 October and takes Ordinary Maternity Leave or Ordinary Adoption Leave & Additional Maternity Leave or Additional Adoption Leave.

Leave Year 1

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
		OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	AML/ AAL	AML/ AAL	AML/ AAL	AML/ AAL	AML/ AAL
School Closures		1wk SC		2wks Xmas		1wk SC		2wks** Easter	1 wk		2wks SC	4wks SC

Leave Year 2

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
	AML/ AAL											
School Closures		1wk SC		2wks Xmas		1wk SC		2wks* * Easter	1 wk		2wks SC	4wks SC

Leave year 1 – the teacher has had no annual leave but has an entitlement to 28 days which will be carried over to the next leave year on her return from maternity leave.

Leave year 2 – the teacher will benefit from 13 weeks of school closure. This will include her 28 days entitlement for that leave year (which will be taken in the October, December, February and first 8 days of the April school closure periods) and the 28 days entitlement from Leave year 1. She will not be entitled to any additional leave.

Scenario 4

The teacher resigns and does not return at the end of the maternity or adoption leave period.

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
					OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL	OML/ OAL		
School Closures		1wk SC*		2wks Xmas		1wk SC		2wks** Easter	1 wk		2wks SC	4wks SC



Believe and Achieve

The Teacher has not worked a full year and will be entitled to a prorated statutory annual leave entitlement (10 month entitlement equates to approximately 23 days). The Teacher will have already has 3 weeks (15 days in school closure periods (October and December) so 8 days payment in lieu will be due on termination.

Please contact Payroll who will calculate pay in lieu of annual leave.



DETAILS OF AMENDMENTS

July 2019

- Updated to include Shiphay Learning Academy
- Updated in accordance with statutory guidelines.

May 2021

- Page 3 My View system used for MAT Leave Plan.
- Page 4 Risk assessment information updated.
- Page 10 Maternity Allowance info updated.
- Page 15 KIT claiming process updated.
- Flowchart updated.

May 2022

- Reviewed without change.

July 2024

- Amendment around notification.
- Clarification on process.
- Re-order parts of the document.
- Minor Formatting changes.

April 2025

- Updated to reflect the Neonatal Care (Leave and Pay) Act 2023

