

# Maternity Pack Teachers

## 2025



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Dear Colleague,

Congratulations on your good news in what must be a busy and exciting time. To help you prepare we have produced an information pack which we hope you will find useful. Your pack contains:

- Maternity Regulations
- Maternity Application form
- FAQ (frequently asked questions)
- Child Care Voucher Scheme – Frequently Asked Questions Leaflet
- Useful contacts

For any queries that you may have during this period, please contact The Absence Team, in People Management and Performance on 01267 246169/246156 or email [HRAbsenceteam@carmarthenshir.gov.uk](mailto:HRAbsenceteam@carmarthenshir.gov.uk)

We hope that you find this information useful.

Yours sincerely

Paul R Thomas  
Assistant Chief Executive (People Management and Performance)

## MATERNITY LEAVE POLICY

### INTRODUCTION

The Occupational Maternity Scheme applies to all pregnant employees regardless of the number of hours worked per week or their length of service.

This document provides a brief guide to the regulations relating to maternity leave and pay for teachers whose expected week of childbirth (EWC) is on or after 6<sup>th</sup> April 2025. For explanations of the technical terms used in this document please refer to Appendix 1 – Definitions. For a detailed explanation of SMP please refer to Appendix 2 - Statutory Maternity Pay. Details of organisations, which offer support to new or expectant mums and their families, are contained in 'Useful Contacts' at the end of the document.

### **Maternity Pay And Entitlements**

All pregnant employees are entitled to 52 weeks maternity leave consisting of 26 weeks Ordinary Maternity Leave and 26 weeks Additional Maternity Leave.

An employee with less than 1 years' service (at the commencement of the 11<sup>th</sup> week before the baby is due) will be entitled to take maternity leave and pay as detailed below: -

#### ***Option 1 – Employees with Less Than One Year's Service***

- **Shall have an entitlement to remain absent for up to 26 weeks (OML) and 26 weeks (AML).**

Option 1 - For those who qualify for SMP – (See Appendix 2 for more SMP information)

- For those employees who qualify for SMP their entitlement will be **6 weeks at 9/10ths** of a week's pay followed by
- **33 weeks at £187.18** SMP per week (or 9/10ths of average weekly earnings if this is less) and a further
- **13 weeks** Additional Maternity Leave (unpaid)

Option 1 - For those who do not qualify for SMP – (See Appendix 2 for more SMP information)

- Where an employee is not entitled to SMP their entitlement will be 39 weeks OML (unpaid) and 13 weeks AML unpaid and an SMP1 Form will be provided so that a claim for maternity allowance and/or other benefits can be made to the Job Centre Plus or Department of Work and Pensions.

Any employee with over 1 years' service (at the commencement of the 11<sup>th</sup> week before the baby is due excluding the EWC week) will be entitled to take maternity leave and pay in accordance with either **SCENARIO 2a or 2b or 3a or 3b** as detailed below:

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***Option 2 – Employees With At Least One Year’s Service Where No Declaration Of Intention To Return To Work Following Their Maternity Leave Has Been Made (This Will Not Apply Where A Resignation Has Been Submitted)***

- **Shall have an entitlement to remain absent for up to 39 weeks (OML) and 13 weeks (AML).**

Option 2 - For those who qualify for SMP – (See Appendix 2 for more SMP information)

For those employees who qualify for SMP their entitlement will be

- **4 weeks full pay with SMP offset** (dependent upon entitlement)
- **2 weeks at 9/10ths** of a week’s pay followed by
- **33 weeks at £187.18** SMP per week (or 9/10ths of average weekly earnings if this is less) and a further
- **13 weeks unpaid** additional maternity leave (AML).

Option 2 – For those who do not qualify for SMP – (See Appendix 2 for more SMP information)

For those who do not qualify for SMP their entitlement will be

- **4 weeks full pay with SMP offset** (dependent upon entitlement)
- **2 weeks at 9/10ths** of week’s pay followed by
- **33 weeks unpaid leave (OML)** and shall be entitled to a further
- **13 weeks unpaid leave (AML)**

An SMP1 Form will be provided so that a claim for maternity allowance and/or other benefits can be made to the Job Centre Plus or Department of Work and Pensions.

***If following a period of maternity leave, the employee declares her intention to resume duties, then arrangements will be made to pay her 12 weeks at half pay in the next available pay period.***

***Option 3 - Employees With At Least One Year’s Service Electing To Return To Work Following Maternity Leave***

- **Shall have an entitlement to remain absent for up to 39 weeks (OML) and 13 weeks (AML).**

Option 3 - For those who qualify for SMP – (See Appendix 2 for more SMP information)

For those employees who qualify for SMP their entitlement will be

- **4 weeks full pay with SMP offset** (dependent upon entitlement)
- **2 weeks at 9/10ths** of a week’s pay followed by
- **12 weeks at half pay plus £187.18** SMP per week (or 9/10ths of average weekly earnings if this is less), except to the extent that the half pay plus

SMP (or MA and any dependent's allowances if the employee is not eligible for SMP) does not exceed full pay followed by a further

- **21 weeks at £187.18** SMP per week (or 9/10ths of average weekly earnings if this is less). Alternatively, the equivalent amount of 12 weeks half pay (i.e. 6 weeks' pay) may be paid on any other mutually agreed distribution within the pay period i.e. up to a maximum of 33 weeks – see employee election below.
- a further 13 **weeks unpaid** additional maternity leave (AML)

Option 3 – For those who do not qualify for SMP– (See Appendix 2 for more information)

For those who do not qualify for SMP their entitlement will be

- **4 weeks full pay with SMP offset** (dependent upon entitlement)
- **2 weeks at 9/10ths** of week's pay followed by
- **12 weeks at half pay** and further
- **21 weeks unpaid leave** and shall be entitled to a further
- **13 weeks unpaid leave (AML)**

An SMP1 Form will be provided so that a claim for maternity allowance and/or other benefits can be made to the Job Centre Plus or Department of Work & Pensions.

### **Employee Election - Alternative Pay Arrangements during half pay period**

The occupational maternity pay scheme provides 12 weeks at half pay in addition to SMP for those employees who are returning to work, as long as the two combined do not exceed full pay. The new arrangements provide that as an alternative the same sum (6 weeks' full pay) may be spread over any other mutually agreed distribution within the paid leave period i.e. up to a maximum **of 33 weeks**. The distribution of the payment will be agreed between the employee and the Human Resources Section. The requirement that earnings including SMP during the additional pay period are restricted to full pay remains in place under the new arrangement.

***If after confirming her intention to return to work an employee does not return to local authority employment for at least 13 weeks she will be asked to refund the half pay or such part thereof, if any, as the authority may decide. Payments made to the employee by way of SMP are not refundable.***

NOTE: Maternity leave shall commence no earlier than 11 weeks before the EWC (excluding the EWC), or from the time of childbirth if that is earlier.

### **Employees who do not wish to return to work after maternity leave**

- An employee who does not wish to return to work after her maternity leave must give her employer the notice of termination required by her contract of employment. However, it will usually help her employer if she can give

as much notice as possible. As long as she specifies the date on which she wishes to terminate the contract (this could be the first day she was due back at work after maternity leave) this will not, of itself, mean that she is no longer entitled to maternity leave or pay for the rest of the maternity leave period.

**Termination Date** – All employees have the right to return to duty following their maternity leave. However, an employee also has the right to terminate her employment under any of the above options. If the employee decides to terminate her duties her termination date will normally be the last day of her maternity leave, this would be different where unpaid leave applies.

### Notification

An employee will be required to notify the Human Resources Section in writing (a copy of which should also be sent to the Line Manager/Head Teacher) and by completing the attached maternity form of the following no later than the end of the 15<sup>th</sup> week before the week the baby is due (or as soon as reasonably practicable) that:

- you are pregnant.
- the expected week of childbirth (EWC);
- the date you want your ordinary maternity leave to start. This cannot be earlier than the 11<sup>th</sup> week before the EWC. Maternity leave can start on any day of the week

It will be possible to change the date the leave commences provided the employee gives 28 days written notice or if that is not possible as soon as reasonably practicable (a copy of which should also be sent to the Line Manager/Head Teacher)

The Human Resources Section will write to the employee within 28 days of receiving the maternity application (a copy will also be sent to the Line Manager/Head Teacher) and will notify of the eligibility of maternity entitlements and the expected date of return from maternity leave.

**Please note that before your maternity leave is to commence you will need to submit a certificate from a registered medical practitioner or a registered midwife stating the Expected Week of Childbirth (MATB1 Form)**

### Health and Well Being

#### **Time Off For Ante Natal Care**

Any pregnant employee has the right to paid time off to attend ante natal care and must produce evidence of the first appointment if requested to do so by the Line Manager. Ante-natal care can include not only medical examinations but also relaxation and parent craft classes. If attendance at the appointment is a matter of personal choice for the employee and is not on the advice of a registered medical practitioner, registered midwife or registered nurse, the employee can request unpaid time off. The School/Line Manager/Head Teacher reserves the right to ask employees

to re-arrange appointments where it is reasonable to do so. Employees should wherever possible try to arrange these appointments as near to the start or end of the working day as possible.

### ***Health and Safety***

Consideration must be given to any health and safety implications for pregnant and breastfeeding employees identified in the Workplace Risk Assessment. It is vital that you inform your Line Manager/Head Teacher that you are pregnant in order for the workplace risk assessment to be undertaken. Line Managers/Head Teachers are to refer to the New and Expectant Mothers Policy and Guidance on the Intranet.

[http://intranet/attached\\_files/geraint/CHS/CCC%20New%20%20Expectant%20Mothers%20Policy1.pdf](http://intranet/attached_files/geraint/CHS/CCC%20New%20%20Expectant%20Mothers%20Policy1.pdf)

### **Absence Due To Sickness Prior To Commencement of Maternity Leave**

If the employee is absent from work due to a pregnancy related reason before the date she has notified (or before she has notified a date) her maternity leave period begins automatically on the second day of absence following the beginning of the fourth week before the EWC. The employee must notify the Human Resource Section (in writing if requested) as soon as reasonably practicably, that she is absent wholly or partly because of pregnancy. (A copy of which should be sent to the Line Manager/Head Teacher)

If the employee is absent from work due to an illness unrelated to her pregnancy she may take sick leave and receive statutory sick pay/occupational sick pay until her maternity leave period begins. Her leave period will begin either on the date she has notified or (if she has yet to notify a date) on the expected week of childbirth or on the date of birth if sooner.

Advice about whether absence may be pregnancy related is available from the Human Resources Section.

### **Reasonable contact**

During the maternity leave period it is advisable that both the employee and employer maintain reasonable contact with each other, this may be by means of telephone, email, letter or by arranging a work or home visit. On the employer's behalf this may be for a number of reasons, some of which may include:

- new changes at the workplace that might affect the employee on her return.
- keeping the employee informed of promotion opportunities.
- other information that she would normally be made aware of if she is working.

### **Keeping in touch days**

Up to ten days' work (Keeping In Touch Days) under the employee's contract of employment may be undertaken at any stage during the maternity leave period, by

mutual agreement with the Line Manager/Head Teacher. There is no compulsion for an employee to work KIT days or for a line manager to agree to them.

The only period an employee cannot work is during the first two weeks after the baby is born, i.e. compulsory maternity leave.

### **The benefits of KIT Days**

- Helps employers plan for employees return to work
- Help employees receive updates on new developments within the workplace i.e. new initiatives, training, re-validation of knowledge and experience
- Contribution to current school/team projects

Keeping in touch days will allow the employee to do a limited amount of work under their contract without the loss of their statutory maternity pay. Any work done under her contract on any day will be recorded as one KIT day e.g. if the employee attends work for a 1 hour training session she will have used 1 of her KIT days. The employee will be paid their contractual rate of pay for the hours of work and will be offset against SMP

*Managers* are responsible for notifying Joanne Davies of the Human Resources Section of KIT days worked to enable payroll to be notified.

### **Exercise Of The Right To Return To Work**

All employees will be entitled to remain absent for the full 52 weeks maternity leave. Employees must notify their Line Manager/Head Teacher **and** Human Resources Section of their intention to return to work. **Employees will need to give at least 28 days' notice in writing of their intention to return to work.** This notice requirement applies during both ordinary maternity leave and additional maternity leave

If you attempt to return to work earlier than the end of your maternity leave without giving 28 days' notice we may postpone your return until the full 28 days notice has been given. However, we will not postpone your return to a date later than the end of your maternity leave period.

### **Returning to work later than previously notified**

An employee, who has notified her line manager that she wishes to return to work before the end of the maternity leave, is entitled to change her mind. However, in these circumstances she should give notice in writing of this new, later, date of return at least 28 days before the earlier date.

An employee who wishes to delay her return to work to a date after the end of the full Maternity Leave (52 weeks) needs to apply either for unpaid leave, parental leave or a career break in line with the school's policies and procedures. All applications should be made at least 28 days before the expected date of return and are subject to the eligibility criteria within the policies and procedures.



## **An employee is entitled to:**

- Return to the job in which she was employed under her original contract of employment and on terms and conditions not less favourable than those on which would have been applicable to her if she had not been absent. **“Job”** for this purpose, means the nature of the work which she is employed to do and the capacity and place in which she is so employed.
- Where it is not practicable by reason of redundancy for the Authority to permit her to return to work to the job in which she was employed the employee shall be entitled to be offered a suitable alternative vacancy where one exists, provided that the work to be done in that post is suitable to her and appropriate to the circumstances, and that the capacity and place in which she is to be employed and her terms of conditions of employment are not substantially less favourable to her than if she had been able to return to the job in which she was originally employed.
- Suitable alternative employment may also be offered if exceptional circumstances other than redundancy (e.g. a general re-organisation), which would have occurred if the employee had not been absent, necessitate a change in the job in which she was employed prior to her absence. The work to be done should be suitable to her and appropriate to the circumstances and the capacity and place in which she is to be employed, and her terms and conditions of employment should not be less favourable to her than in if she had been able to return to the job in which she was originally employed.

Where an employee wishes to return to work on different hours or job share, the Authority should consider such requests seriously. For further details please refer to the Authority's Flexible Working Policy and Procedure and/or the Job Share Policy and Procedure. If you wish to apply for any of the above you will need to apply no later than 28 days of your expected date of return.

## Relationship With Sickness And Annual Leave

Maternity leave shall be regarded as continuous service for the purpose of the Teachers' Terms and Conditions sickness scheme and annual leave.

Where an employee is unable to return on the expected day due to sickness the absence will be covered by the sickness scheme in the normal way. A medical certificate will be required from the first day of the sickness absence.

For an employee, where because of an interruption of work (whether due to industrial action or some other reason) it is unreasonable to expect a return to work on the due date, she may instead return when work resumes, or as soon as reasonably practicable thereafter.

Teachers are entitled to statutory annual leave under the working time regulations. This leave entitlement should be taken either before or after the maternity leave period during school closure periods. On return from maternity a teacher will be allowed to

take any outstanding leave during term time during that leave year if there are insufficient school closures to accommodate the leave in that 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 of her annual leave entitlement, a teacher must be allowed to carry over any balance of her leave to the following leave year. If there is any outstanding leave this should be taken during school closure periods after their period of maternity leave.

### **Shared Parental leave**

Shared Parental Leave (SPL) enables mothers commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay with their partner, or return to work early from maternity leave and opt in to shared parental leave at a later date.

For further information in relation to shared parental leave policy please refer to the intranet, HR policies and guidance section. The Policy sets out the rights of employees to shared parental leave (SPL) and shared parental pay (SHPP) available to parents with babies due on or after 5<sup>th</sup> April 2015.

For Paternity pay and entitlements please see the Authority's Paternity Leave Policy and Procedure.

### **Effect On Pension Contributions**

Please see the link to the Teachers' Pensions website for information:

<https://www.teacherspensions.co.uk/members/member-hub.aspx>

## APPENDIX 1

### Definitions

There are number of technical terms and abbreviations used in relation to maternity rights that are explained below:-

**Childbirth** – childbirth means the live birth of a child, or still-birth after a pregnancy lasting at least 24 weeks.

**EWG** – Expected Week of Childbirth i.e. the week starting on a Sunday during which the employee's doctor or midwife expects her to give birth.

**MAT B1** – a form, normally given to an employee by her doctor or midwife, that confirms that she is pregnant and gives the EWG

**Statutory Maternity Pay (SMP)** – is paid by the Authority to an employee who is expecting a baby. SMP is taxable and subject to National Insurance contributions (see Appendix 2 for further clarification)

**Occupational Maternity Pay** – maternity pay paid by the Authority, in accordance with the NJC for Local Government Services Agreement (Green Book)

**Ordinary Maternity Leave (OML)** – provided all notification procedures have been complied with all female employees (regardless of service) will be entitled to 26 weeks' Ordinary Maternity Leave.

**Additional Maternity Leave (AML)** – provided all notification procedures have been complied with all female employees (regardless of service) will be entitled to a further 26 weeks' Additional Maternity Leave which will start at the end of the Ordinary Maternity Leave.

**Maternity Allowance (MA)** – an allowance which may be payable to those employees who do not qualify for SMP and is paid directly by the Department of Social Security

**Maternity and Parental Leave Regulations 1999** – employees are not permitted to work within 2 weeks of giving birth.

**Additional Paternity leave and pay** – The government introduced a new law, the Additional Paternity Leave Regulations 2010, allowing an employee to transfer up to six months of their maternity leave to their spouse, civil partner, partner or co-adopter, this gives parents a greater choice over childcare responsibilities.

## APPENDIX 2

### **Statutory Maternity Pay**

An employee can choose when to start getting SMP. The earliest SMP can start is from the 11th week before the week baby is due. SMP can start on any day of the week:

- The baby is born more than 15 weeks before the due date
- The baby is born before the intended start date of leave
- An employee has a pregnancy related illness

### Qualification Requirements

To qualify for SMP employees must: -

- have 26 weeks continuous service at their qualifying week (the 15<sup>th</sup> week before their EWC);
- have average earnings in the 8 weeks ending with the 15<sup>th</sup> week before the EWC equal to the lower earnings limit. The
- still be pregnant at the 11<sup>th</sup> week or have already given birth.

Employees who do not qualify for SMP may qualify for Maternity Allowance and/or other benefits. These are paid directly by the Department of Work and Pensions.

The Human Resources section will issue you with a SMP1 Form if you do not qualify. This form should be submitted with your claim for Maternity Allowance to the Job Centre Plus or Department of Work and Pensions.

### Employees responsibilities during payment of SMP

Once payment of SMP has begun, the employee is responsible for telling her employer if any of the following apply. If she:

- Starts working after the baby has been born, for an employer she was not employed by during the Qualifying Week (QW)
- Goes abroad outside the EEA (European Economic Area)
- Has been taken into legal custody

In these cases payment of Statutory Maternity Pay and Occupational Maternity Pay will stop.

### **What happens if an employee leaves her employment?**

If an employee leaves her employment before the start of the 15th week before the week baby is due, she cannot qualify for SMP.

If an employee is employed at any time in the 15th week before the week the baby is due and she has qualified for SMP, then she will be entitled to receive SMP even if she leaves her job. SMP will begin on the later of:

- If she leaves after the date and before the SMP pay period is due to start, or the baby is born before the intended start of leave, or your employee has a pregnancy related absence, the SMP pay period starts the day following the day on which she left her employment, or
- the Sunday of the 11th week before the week baby is due.

### **Anything else I need to know?**

If an employee has more than one employer, she may be able to get SMP from each employer.

An employee does not have to intend to return to work to get SMP from her employer.

Entitlement to SMP does not affect the employee's right to other maternity payments provided by her employer.

### **39-week Maternity Pay Period starts on or after 6<sup>th</sup> April 2025.**

First 6 weeks of payment: 90% of her average weekly earnings

Remaining weeks: £187.18 a week or 90% of her average weekly earnings if that sum is less than £187.18 a week.

## MATERNITY EXPLANATORY

*All pregnant employees have the right to 52 weeks maternity leave (39 weeks Ordinary Maternity Leave and 13 weeks Additional Maternity Leave) regardless of the number of hours worked or length of service.*

**1. Employees with less than 1 years service will be entitled to:**

- 39 weeks (OML) Ordinary Maternity Leave (unpaid) + SMP if entitled (see SMP qualification requirements) and a further 13 weeks (AML) Additional Maternity Leave unpaid

**2. Employees with over 1 years service (at the commencement of 11<sup>th</sup> week before the EWC excluding the EWC) **and are unsure as to whether you will be returning to work** at the end of the maternity leave will be entitled to remain absent for up to 52 weeks maternity leave consisting of**

**39 weeks (OML) Ordinary Maternity Leave consisting of:**

- 4 weeks of a full weeks pay (SMP offset if entitled) and
- 2 weeks 9/10<sup>ths</sup> of a week's pay (SMP offset if entitled) and
- 33 weeks unpaid leave + SMP if entitled (see SMP qualification requirements)

***and a further 13 weeks (AML) Additional Maternity Leave (unpaid)***

***If you decide to take the above option and you do return to work at the end of the maternity leave period, then the 12 weeks at half pay will be paid to you following your return to work.***

**3. Employees with over 1 years' service (at the commencement of 11<sup>th</sup> week before the EWC excluding the EWC) **and who are returning to work at the end of the maternity leave** will be entitled to remain absent for up to 52 weeks maternity leave consisting of:**

**39 weeks (OML) Ordinary Maternity Leave consisting of:**

- 4 weeks full pay (SMP offset if entitled) and
- 2 weeks 9/10<sup>ths</sup> of a week's pay (SMP offset if entitled) and
- 12 weeks at half pay + SMP if entitled (see SMP qualification requirements) and
- a further 21 weeks SMP if entitled (see SMP qualification requirements)

***and a further 13 weeks (AML) Additional Maternity Leave (unpaid)***

***If you decide to take the above option and receive the 12 weeks at half you must return to work for at least 13 weeks in the event of you not doing so, you will be required to refund the half pay element of the maternity pay***

**(See Appendix 1 for explanation of abbreviations)**

### *Rates of Pay*

#### **Qualification Requirements – to qualify for SMP you must have:**

- 26 weeks continuous service at the 15<sup>th</sup> week before your EWC (qualifying week)
- average weekly earnings in the 8 weeks ending at the 15<sup>th</sup> week before your EWC equal to £125 (this is the lower earnings limit)
- and be pregnant at the 11<sup>th</sup> week or already have given birth

#### **Statutory Maternity Pay** is paid at the following rate:

6 weeks at 9/10ths of your average weekly earnings

33 weeks at £187.18 per week (or 9/10<sup>th</sup> of your average weekly earnings if this is less)

**Maternity Allowance** If you are not entitled to SMP you may be able to claim Maternity Allowance, which is paid by the Benefits Agency or job centre plus office. To claim MA you can get a claim form from your local Jobcentre Plus or Department of Work & Pensions office. Claim MA as soon as you can after you have been pregnant for 26 weeks

## Frequently asked questions

### **Am I entitled to time off for antenatal care?**

You have the right to paid time off to attend antenatal care. You will need to produce evidence of the first appointment if requested to do so by your line manager. Antenatal care can include not only medical examinations but also relaxation and parent-craft classes. Please note the council reserves the right to ask you to re-arrange appointments where it is reasonable to do so. Employees should wherever possible try to arrange these appointments as near to the start or end of the working day as possible.

### **What am I entitled to?**

For details of what type of payment, you may be entitled to please see the information enclosed.

### **When can I begin my Maternity Leave?**

The earliest you can start your Maternity Leave is 11 weeks before the baby is due.

### **What is the latest date I can begin my maternity leave?**

Although maternity leave can commence no earlier than 11 weeks before the EWC, maternity leave can begin on any day of the week and no later than the expected date of childbirth (The start of the maternity pay period will not be changed for cases which are triggered by the early birth of the baby or pregnancy related absence)

### **How much notice do I need to give of my pregnancy and intention to take maternity leave?**

You must provide your line manager with written notice no later than the 15<sup>th</sup> week before the EWC before your absence begins

It is possible to change the date the leave commences provided that you give 28 days written notice or if that is not possible as soon as reasonably practicable.

### **What happens to my holiday entitlement during maternity leave?**

Holiday entitlements continue to accrue during your maternity leave. To avoid unnecessary service difficulties, you should try to take any holiday leave already owing to you **before** beginning your maternity leave. In cases where this is not possible your remaining annual leave days will be carried over to your new leave year.

### **Term Time Employees**

Your leave entitlement will continue to be accrued during your maternity leave and any adjustments required will be made at the end of your period of maternity leave.

### ***What if I am off sick?***

If you are absent through sickness unrelated to the pregnancy while you are still working, you will be paid sick pay in the usual way. However, you will not receive sick pay while you are on maternity leave but will continue to receive maternity pay for the entitlement period.



***Note- if your sickness absence is pregnancy related reason before the date you have notified us of (or before you have notified us of a date) your maternity leave period begins automatically on the second day of absence following the beginning of the fourth week before the baby is due. Advice about whether absence may be related is available from the HR Absence Team.***

### **What if my baby is born before I am due to start maternity leave?**

If your baby is born before your maternity leave (or even before you have informed us of the intended start date), the maternity leave period starts automatically on the day after the birth.

What notice am I required to give of my intended return to work?

It is assumed that employees will return at the end of the Maternity Leave Period. If you wish to return to work earlier than this then you must inform your line manager and the HR Section at least 28 days' notice of an early return to work, this will apply during OML and AML.

### **Can I return to work on a part time basis?**

Under the provisions set out in the Children and Families Act 2014, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly (this is subject to certain eligibility criteria).

This right does not provide an automatic right to work flexibly as there will always be circumstances when requests cannot be accommodated in accordance with the employee's desired work pattern.

However, the right aims to facilitate discussion and encourage both the employee and the school to consider flexible working patterns and to find a solution that suits both parties.

### **Can I take parental leave?**

The parental Leave Regulations give parents of young (and disabled) children provision for time away from work to fulfil childcare responsibilities. Parental leave is the right to take unpaid leave for the purpose of caring for a child. From 5<sup>th</sup> April 2015 this includes children up to the age of 18 years. Parents have an entitlement to 18 weeks unpaid leave. No minimum service is required for eligibility.

### **What about Dependants leave?**

This provides time off for carers of young children or other dependants. It is designed to cover emergencies such as break down in childcare arrangements and is unpaid. For further information please consult the time off for dependant's policy and procedure via the intranet, or copies are available from the HR Absence Team.

### **What is my entitlement should I decide not to return to work?**

If after confirming your intention you do not return to work for at least 13 weeks you will be asked to refund some of the pay you have received. See the Maternity Leave policy for further details.

## **Case Studies**

### **Scenario 1**

**Mary has worked for the authority for 2 years. Her maternity leave was planned to start in a month's time. Unexpectedly she gave birth early on Monday. Mary is unsure when her maternity leave will begin.**

Mary will be entitled to remain absent for up to 52 weeks. 39 weeks ordinary maternity leave and 13 weeks additional maternity leave.

Although Mary had arranged dates for her maternity leave to begin, the leave will now automatically start the day after the baby is born. In Mary's case it will start on the Tuesday.

### **Scenario 2**

**Janet is currently on maternity leave. She has worked for the School/Authority for a year and a half. Although she has agreed to return back to work, she has changed her mind, as she wants to stay at home with her baby. Janet is in her second week of half pay and is concerned about what will happen with the money she has already received.**

Janet's half pay element will be stopped. Arrangements will also be made in order for the 2 weeks half pay to be recovered from her remaining maternity pay. If Janet did not notify that she would not be returning to work at the end of her maternity leave, then she would have had to pay back all the half pay, or she could have returned to work for 13 weeks and finish at the end of that period and not repay anything back.

### **Scenario 3**

**Louise has taken her full 52 weeks entitlement of maternity leave. She is due to return to work, however she has problems with childcare. Without arrangements in place, she won't be able to return to work. She has been told that a nursery place will be available in 6 weeks time. Louise wonders if there is a further period of unpaid leave that she can access.**

Louise is entitled to apply for up to 18 week's unpaid parental leave. Parental leave can be taken in blocks of a week or more. She could therefore use 7 weeks of this to help her with her childcare difficulties. The further 11 weeks leave can be taken at a later date, up until the child's eighteenth birthday.

### **Scenario 4**

**Whilst on Maternity leave, Alice decides that she would like to return to work part time. She wonders what her entitlements are?**

Alice may be able to request to change her hours utilising the School/Authority's Right to Request Flexible Working policy. She will have to submit a flexible working application and will have to discuss the matter with her line manager. Alice may also like to consider the flexi time system, which may allow some flexibility within her normal working week.

## USEFUL CONTACTS

### **Tommy's the baby charity**

Helps parents-to-be find ways to support a healthy pregnancy and offers advice about pre-pregnancy care, pregnancy health and complications including Toxoplasmosis. You can also order any of Tommy's free leaflets.

Contact details: 08707 70 70 70

Website: [www.tommys.org](http://www.tommys.org)

Email: [mailbox@tommys.org](mailto:mailbox@tommys.org)

### **National Childbirth Trust**

Provides support in pregnancy, childbirth and early parenthood. Stories from parents, practical tips and advice offered.

Enquiry Line: 0870 99 8040

Website: [www.nctpregnancyandbabycare.com](http://www.nctpregnancyandbabycare.com)

### **Breastfeeding Network**

A source of support and information for breastfeeding women, and others. Breastfeeding supporters are available at the end of the phone to give information and support to mothers who have challenges with breastfeeding.

Supporter line 0870 900 8787 - 9.30 am to 9.30 pm, everyday of the year.

Website: [www.breastfeedingnetwork.org.uk](http://www.breastfeedingnetwork.org.uk)

E-mail: [email@breastfeedingnetwork.org.uk](mailto:email@breastfeedingnetwork.org.uk)

### **Working families**

Helps children, working parents and carers and their employers, find a better balance between responsibilities at home and work.

Website: [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

Email: [office@workingfamilies.org.uk](mailto:office@workingfamilies.org.uk)

Tel: 020 7253 7243

### **Childcare link**

For national and local childcare information. Sign posting information from Welsh National Assembly. Through the website you can find useful information about different types of childcare and early education in your local area. The site also contains details of your local Children's Information Service, who can provide additional help and advice with all aspects of childcare and early years

For more information on childcare, contact your Carmarthen childcare co-ordinator:  
01267 224224

Lists are given of the co-ordinators and contact numbers in the Wales area

Website: [www.childcarelink.gov.uk](http://www.childcarelink.gov.uk)

### **Carmarthen Childcare Partnership**

The partnership provides information about the range of childcare services in Carmarthen. For more information please see their website.

[www.carmarthenshirechildrenspartnership.org.uk](http://www.carmarthenshirechildrenspartnership.org.uk)

email: [childreninfo@carmarthenshire.gov.uk](mailto:childreninfo@carmarthenshire.gov.uk)

### **Association for Post Natal illness**

The Association provides a telephone helpline, information leaflets for sufferers as well as a network of volunteers (telephone or postal), who have themselves experienced postnatal illness. A range of publications and leaflets are available.

Contact Details: Helpline 020 7386 0868 (Monday, Friday 10am-2pm) (Tues-Thurs 10am-5pm)

Website: [www.apni.org.uk](http://www.apni.org.uk)

E-mail: [info@apni.org](mailto:info@apni.org).

### **APEC Action on Pre- Eclampsia**

Information and support for women at risk or affected by pre-eclampsia.

Information, conferences and study days for health professionals. Membership services, including newsletter with research updates.

Contact details: Helpline 020 8427 4217 Weekdays 10 am-1 pm

Confidential service open to anyone seeking information or support.

Website: [www.apec.org.uk](http://www.apec.org.uk)

E-mail: [info@apec.org.uk](mailto:info@apec.org.uk)

### **Mother@work**

Webzine dedicated to working mothers. This web magazine covers such issues as work-life balance, childcare and education and expert advice.

Website: [www.motheratwork.co.uk](http://www.motheratwork.co.uk)

### **CRY-SIS**

Provides support for families with excessive crying, sleepless and demanding babies and young children. They can put you in touch with volunteer contacts with similar problems.

Contact details: 08451 228 669 (7 days a week 9am- 10 pm)

Website: [www.cry-sis.org.uk](http://www.cry-sis.org.uk)

E-mail: [info@cry-sis.org.uk](mailto:info@cry-sis.org.uk)

### **Parent line Plus**

Offers support to anyone parenting a child. Confidential free phone helpline run by Parent line plus providing support to families.

Contact details: 0808 800 2222

Website: [www.parentlineplus.org.uk](http://www.parentlineplus.org.uk)

**MAMA (Meet-a-Mum Association)** – National organisation aimed at providing a network of care. Provides, friendship and support to mothers and mothers-to-be who are lonely or isolated after the birth of a baby or moving to another area.

Contact details: Helpline 0845 120 6162

Website: [www.mama.org.uk](http://www.mama.org.uk)

To find out if there is a group in your area, please e-mail

### **TAMBA Twins & Multiple Births Association**

A national, confidential, support, listening and information service for all parents of twins, triplets and more, and the professionals involved in their care.

Provides information and mutual support networks for families of twin, triplets and more, highlighting their unique needs to all involved with their care.

Twin line: 0800 138 0509 10am to 1pm and 7pm to 10pm every weekday, and 10am to 10pm on Saturdays and Sundays.

Website: [www.tamba.org.uk](http://www.tamba.org.uk)

### **Birth Choice UK**

A website promoting informed choice for parents over where, and how, they give birth. Lots of information about parents' rights, and the options available for childbirth. Website:

[www.birthchoiceuk.com](http://www.birthchoiceuk.com)

### **UK parents**

A UK-based site with information for all parents. Lots of active online discussion lists. Forum, with facts, weekly articles, polls and, parenting tips.

Website: [www.ukparents.co.uk](http://www.ukparents.co.uk)

**Please note:** - Carmarthenshire County Council has no links to any of the organisations listed and can take no responsibility for the accuracy of the information or quality of the services provided.

**MATERNITY LEAVE APPLICATION - TEACHERS**

***I WISH TO APPLY FOR MATERNITY LEAVE AS FOLLOWS: (Tick appropriate box)***

FULL NAME:

\_\_\_\_\_

ADDRESS:

\_\_\_\_\_

TELEPHONE NO:

\_\_\_\_\_

EMPLOYEE NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

EXPECTED WEEK OF CHILDBIRTH: \_\_\_\_\_

DATE MATERNITY LEAVE TO COMMENCE: \_\_\_\_\_

HAVE YOU BEEN EMPLOYED CONTINUOUSLY FOR 26 WEEKS AT THE START OF THE 15<sup>TH</sup> WEEK BEFORE YOUR EDC: \_\_\_\_\_ (If no please tick option 1)

I ATTACH A COPY OF MATB1

☐

**SCENARIO 1**

**(UNDER 1 YEAR'S SERVICE)**

☐

Up to 52 weeks maternity leave with the right to return at the end of that period to include:  
39 weeks ordinary maternity leave unpaid plus SMP (dependent upon entitlement)

and a further 13 weeks Additional maternity leave unpaid leave

**SCENARIO 2 (OVER 1 YEAR'S SERVICE, contract won't allow/not returning after maternity leave)**

☐

Up to 52 weeks maternity leave with the right to return at the end of that period to include:

39 weeks ordinary maternity leave which will be paid at:

- 4 weeks full pay with SMP offset (dependent upon entitlement)
- 2 weeks at 9/10ths of salary with SMP offset (dependent upon entitlement)
- 33 weeks unpaid plus SMP (dependent upon entitlement)

***If following maternity leave, I declare my intention to resume duties, then arrangements will be made to pay me 12 weeks at half pay.***

**SCENARIO 3 (OVER 1 YEAR'S SERVICE, returning for minimum 13 weeks after return from maternity leave)**

☐

Up to 52 weeks maternity leave with the right to return at the end of that period to include:

39 weeks ordinary maternity leave which will be paid at:

- 4 weeks full pay with SMP offset (dependent upon entitlement)
- 2 weeks at 9/10<sup>ths</sup> of salary with SMP offset (dependent on entitlement)
- 12 weeks half pay plus SMP (dependent on entitlement)
- 21 weeks unpaid plus SMP (dependent upon entitlement)

☐

**And** *I wish to elect to spread the 12 weeks half pay over a longer period i.e., up to a maximum of 33 weeks (please tick this box if this is your choice)*

***Failure to resume duties for at least 13 weeks under this option will necessitate the refund of 12 weeks at half pay.***

**N.B. All employees have the right to return to duty following their maternity leave. However, an employee also has the right to terminate their employment under any of the above options. If the employee decides to terminate employment the termination date will normally be last day of maternity leave, this would be different where unpaid leave applies. If it is an employee's intention to terminate duties the date of termination if known can be included below:**

\* I intend to terminate my employment on: \_\_\_\_\_

**SIGNED:**

**DATE:**