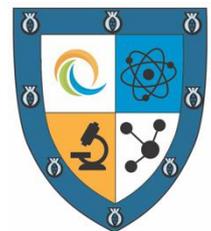




**MATERNITY POLICY FOR  
SCHOOLS WITHIN QUEST**

**St. Peter's C. of E. Primary School, Hindley  
Hindley Green Community Primary School  
St. John's C. of E. Primary School, Hindley Green  
St. John's C. of E. Primary School, Abram  
University Collegiate School, Bolton**



**September 2021**  
Review date: September 2022

## Contents

Introduction .....	4
Purpose .....	4
Scope .....	4
Notification .....	4
Risk assessment .....	4
Maternity leave .....	5
Starting maternity leave .....	5
Maternity pay.....	5
Statutory maternity pay (SMP) .....	6
Occupational maternity pay (OMP) .....	6
Keep in touch days .....	7
Surrogacy entitlements .....	7
Shared parental leave .....	8
Pension .....	8
Sickness.....	8
Annual leave .....	8
Salary Sacrifice Schemes .....	9
Applying for other jobs .....	9
Returning to work .....	9
Data protection .....	10

Appendix 1 - Maternity scheme flowchart

Appendix 2 - Wigan Family Information Service

## Introduction

QUEST recognises the importance of balancing work and family life and is committed to supporting employees who are pregnant at work, during their maternity leave and on their return to work.

All employees are entitled to 52 weeks maternity leave regardless of their length of service.

Expectant parents may also be eligible for Shared Parental Leave which gives them the option share the remainder of their leave with their partner. Employees should refer to the Shared Parental Leave Policy which sets out the criteria for eligibility, notice and pay.

## Purpose

This policy aims to provide managers and employees with further information on maternity leave including the notification requirements and the statutory and contractual entitlements in respect of pay and leave.

## Scope

This policy applies to all Trust employees including teachers. In schools, Principals have delegated manager responsibility for their employees. For Central Trust employees, the COFO has delegated manager responsibility for these employees. Principals should refer to the separate factsheet for agency workers.

## Notification

Employees should inform their Principal/COFO of their pregnancy and expected due date as soon as possible. This will enable managers to take account of any workplace risks to the employee and plan for the employee's absence.

Employees must also ensure they follow the correct notification requirements:

- ✚ Notify their Principal/COFO of their pregnancy as soon as possible and no later than the 15<sup>th</sup> week before the expected week of child birth.
- ✚ Submit their signed MatB1 along with their Maternity Application Form to their Principal/COFO who will forward it onto the Trust's Business Development Department. This will be given to the employee by the GP or midwife no sooner than 20 weeks before the expected week of child birth.

Once received the Trust's Business Development Department will submit the completed application form, along with a copy of the MatB1, to HR Employment Service Centre at least 28 days before the employee wishes to start their leave.

## Risk assessment

As soon as the employee informs of their pregnancy the Principal/COFO must complete a maternity risk assessment to take account of health and safety risks to pregnant employees when assessing risks in work activity. If a risk is identified and cannot be avoided, the Principal/COFO will take steps to remove the risk or offer the employee suitable alternative work, with no less favourable terms and conditions. If no suitable work is available, the employee will be suspended on full pay for as long as necessary to protect their health and safety and their baby's.

## Ante-natal care

Employees will receive time off with pay to attend ante-natal care made on the advice of a registered medical practitioner, registered midwife or registered health visitor. Ante-natal care is not restricted to medical appointments and may include non-medical appointments such as relaxation classes and parenting classes. Non-medical appointments should be arranged outside of working hours however where this is not possible, paid time off will be given where the employee has provided proof of the appointment and that this has been made on the advice of a registered medical practitioner, midwife or health visitor.

## Maternity leave

All employees are entitled to 52 weeks of maternity leave, regardless of their length of service or contracted hours. This is made of 26 weeks ordinary maternity leave and 26 weeks additional maternity leave.

## Starting maternity leave

Employees can start maternity leave any time in the 11<sup>th</sup> week period before their expected date of child birth, providing they have followed the correct notification requirements.

It will, however, be triggered automatically if:

- ✚ an employee is absent wholly or partly because of pregnancy in the four weeks before their expected date of child birth; or
- ✚ if an employee has their baby before they planned to start their maternity leave.

## Maternity pay

The type of maternity pay an employee will receive depends on their length of continuous service and whether or not they intend to return to work following maternity leave.

Continuous service is unbroken service with one or more specific employers as determined by an employee's terms and conditions of employment. Definitions are described under the following sections.

In addition, statutory maternity pay is dependent upon an employee's average earnings being above the lower earnings limit set by the government.

<b>Scheme 1 – More than 12 months *continuous service</b>	
<b>School Support Staff</b>	<b>Teachers</b>
6 weeks at 90% of pay 12 weeks at half pay (optional) 21 weeks at SMP	4 weeks at full pay 2 weeks at 90% of pay 12 weeks at half pay (optional) 21 weeks at SMP
<b>Scheme 2 – Less than 12 months *continuous service</b>	
<b>School Support Staff</b>	<b>Teachers</b>
6 weeks at 90% of pay 33 weeks at SMP	6 weeks at 90% of pay 33 weeks at SMP

## **Statutory Maternity Pay (SMP)**

Statutory maternity pay will be paid to employees who have at least 26 weeks service at the 15<sup>th</sup> week before the expected week of child birth and who have average earnings above the lower limit set by the government.

\* For teachers, service must be as a teacher within the Trust or one or more local authority schools.

\* For school support staff, service must be within the Trust or Wigan Council.

SMP is paid to employees whether they intend to return to work or not and is made up of the following elements:

-  6 weeks at 90% of full pay
-  33 weeks at flat rate SMP

## **Occupational Maternity Pay (OMP)**

Occupational maternity pay will be paid to employees who have at least 12 months continuous service 11 weeks before the expected week of child birth.

\* For teachers, service must be as a teacher within the Trust or one or more local authority schools.

\* For school support staff, service must be within the Trust or local government.

Occupational maternity pay is paid in addition to statutory maternity pay without any deductions, unless the combined pay exceeds full pay.

OMP is made up of the following elements:

-  12 weeks at half pay

In addition to the above, teachers will receive the first 4 weeks of their maternity leave at full pay.

Employees may choose to be paid the 12 weeks half pay differently. This could be, for example, spread evenly over the first 20 weeks of flat rate SMP, or over the full 33 week flat rate SMP period or as a lump sum. A lump sum can only be paid on or after the 18<sup>th</sup> week of maternity pay which is the last week on which the 12 weeks half pay would have been paid.

School support staff must return to the Trust for at least 3 months. If they do not, arrangements will be made for the 12 weeks half pay to be recovered.

Teachers must return to their job for at least 13 weeks (including periods of school closure). This requirement may be reduced at the discretion of the Trust. Where the Trust agrees, a full time teacher may return to work on a part time basis for a period which equates to 13 weeks of full time service. Similarly, where the Trust agrees, a part time teacher may return to work on a different part time basis for a period which equates to 13 weeks part time service relating to her previous contract. The 13 week period, or part time equivalent, starts from the date the teacher returns to work or the date during the school holiday on which the teacher is declared medically fit to be available for work.

Sickness absence during this 3 months will not count as a return to work. Annual leave will count.

## **Maternity Allowance (MA)**

Employees who are not entitled to Statutory Maternity Pay may be able to claim Maternity Allowance (MA) or other benefits from Job Centre Plus. Employees who receive MA must inform the Trusts Business Development Department who will inform the Trust's Payroll provider.

## **Keep in touch days**

Principals/COFO and employees may agree for an employee to work or attend training on up to 10 days during the maternity leave period. These are known as keep in touch 'KIT' days and can be useful in helping employees stay up to date with any changes at work.

The Principal/COFO and employee must both agree to work these days and also agree to arrangements including what work will be carried out and how payment will be arranged.

## **Ending maternity leave**

Employees who wish return before the end of their maternity leave must provide the Trust with at least 21 days' notice of their return date. Notification should be submitted to the Principal/COFO who will forward to payroll to make sure the employee is paid correctly on their return to work.

The Trust may delay an employee's return if they do not provide 21 days' notice.

Employees who are not able to return to work due to sickness must follow their usual sickness reporting procedure. Principal/COFO will follow the Sickness Management Policy.

Employees who do not wish to return to work at the end of their maternity leave must notify their Principal/COFO of their resignation.

## **Surrogacy Entitlements**

Employees who choose to become a surrogate have the same legal rights as an employee who is pregnant, including paid time off for antenatal appointments and 52 weeks maternity leave, irrelevant of what the arrangement is following the birth of the baby. However, as surrogacy is a voluntary alternative to natural conception, the implantation part of the process is classed as elective surgery. Time off for appointments prior to the surrogate becoming pregnant and the actual implantation will not be given. In this circumstance, an employee should use annual leave or request unpaid leave to enable them to attend appropriate appointments.

It is important to note that surrogates cannot accept payment for their services, but they must not be left out of pocket. Surrogates are entitled to claim 'reasonable expenses' from the Intended Parents and an employee could attempt to recover any loss of earnings via this route, if unpaid leave was taken.

## **Shared Parental Leave**

Employees who are eligible have the option to curtail their maternity leave and convert to shared parental leave. Shared parental leave means parents can share up to 50 weeks of leave and 37 weeks of pay if they meet the necessary eligibility criteria.

Employees can find further information in the Shared Parental Leave Policy which sets out the eligibility criteria and notification requirements.

## **Pension**

### **Local Government Pension scheme**

Employees who pay into the Local Government Pension Scheme will have to pay contributions on their actual pay.

Employees will not accrue pension benefits during any unpaid periods of maternity leave. Employees can however choose to pay additional pension contributions (APCs) to make up those benefits. Further information on APCs can be found on the Greater Manchester Pension Fund website [www.gmpf.org.uk](http://www.gmpf.org.uk). Telephone 0161 301 7000.

## **Teachers' Pension scheme**

Teachers will continue to pay pension contributions during the paid part of their maternity leave.

Contributions will not be made during any unpaid period of maternity leave. Teachers may however apply to the teachers' pension scheme to make additional pension contributions. Member communications are sent and received via the online portals - <https://www.teacherspensions.co.uk/members/member-login.aspx>. Telephone 0345 6066166

## **Sickness**

Maternity leave is regarded as service for the purposes of sick pay.

Employees who become sick during their pregnancy should follow their usual sickness absence reporting arrangements.

Maternity leave will be triggered automatically for employees who are absent wholly or partly because of pregnancy in the four weeks before their expected date of child birth. If, in early months of pregnancy, a school employee is advised by an approved Medical practitioner to absent herself from school because of the risk of rubella, she will be granted leave with full pay, provided that she does not unreasonably refuse to work in another school where there is no such risk.

Employees who are unable to return to work following their maternity leave should follow their usual sickness absence reporting arrangements. The Trust will follow the Sickness Management Policy.

## **Annual leave**

### **Full year employees (school support staff)**

All annual leave should be taken between 1st September and 31st August. It can be taken at the beginning or at the end of the maternity leave period but not at the same time. All leave must be booked following usual procedures. Employees who take 12 months maternity leave will still accrue their full contractual leave entitlement plus bank holidays. Any leave not already used, must be taken within 12 months of the employee's return from maternity leave.

### **Term-time only employees (school support staff)**

Employees will continue to accrue full contractual annual leave and bank holidays during their maternity leave, however salary for term-time only employees includes payment for annual leave and bank holidays. The Trust's Payroll provider will calculate how much annual leave and bank holidays employees will receive in their salary whilst on the paid part of their maternity leave and any balance owing will be taken as leave at the end of their maternity leave period. The Trust will be notified of any balance owing to employees at the start of their maternity leave.

## **Teachers**

The annual leave year for teachers is 1 September to 31 August. Teachers must be allowed to take any outstanding leave during term time (within that leave year) if there are insufficient school closures to accommodate their leave in that leave year. In cases where a teacher returns from maternity leave so close to the end of the leave year that there is not enough time to take all annual leave, they will carry the balance to the following leave year (taken during school closures).

Untaken annual leave will not be paid.

## Salary Sacrifice Schemes

If you have taken out a salary sacrifice agreement, under the terms and conditions of the scheme you will continue to make payments whilst you are receiving occupational maternity pay. When you are only receiving statutory maternity pay, or are on unpaid maternity leave, payments will be suspended and the missed months will be added to the end of your hire agreement.

## Applying for other jobs

Employees can still apply for other jobs during their maternity leave.

They must however be aware of the following obligations in order to keep any contractual maternity pay received.

- ✚ Teachers must return to their job for a period of 13 weeks (school closures included).
- ✚ School support staff must return to the Trust.

## Returning to work

Employees must provide the Trust with at least 21 days' notice if they intend to return to work earlier than the end date of their maternity leave. Employees who do not provide 21 days' notice may have their return date delayed.

Employees are not obliged to notify the Trust if they are returning at the end of their full maternity leave but it is advisable to do so to ensure they are paid correctly on their return to work.

Employees who wish to change their return to work date must provide at least 21 days' notice.

Employees who choose to return to work have the right to return to their original job. Where this is not possible, the employee will be offered an alternative position with no less favourable terms and conditions of employment.

Employees who are on maternity leave will be included in consultation on organisational change processes which affect their job.

If an employee wishes to return on a different working pattern, including reduced hours, they may submit a request under the Flexible Working Policy.

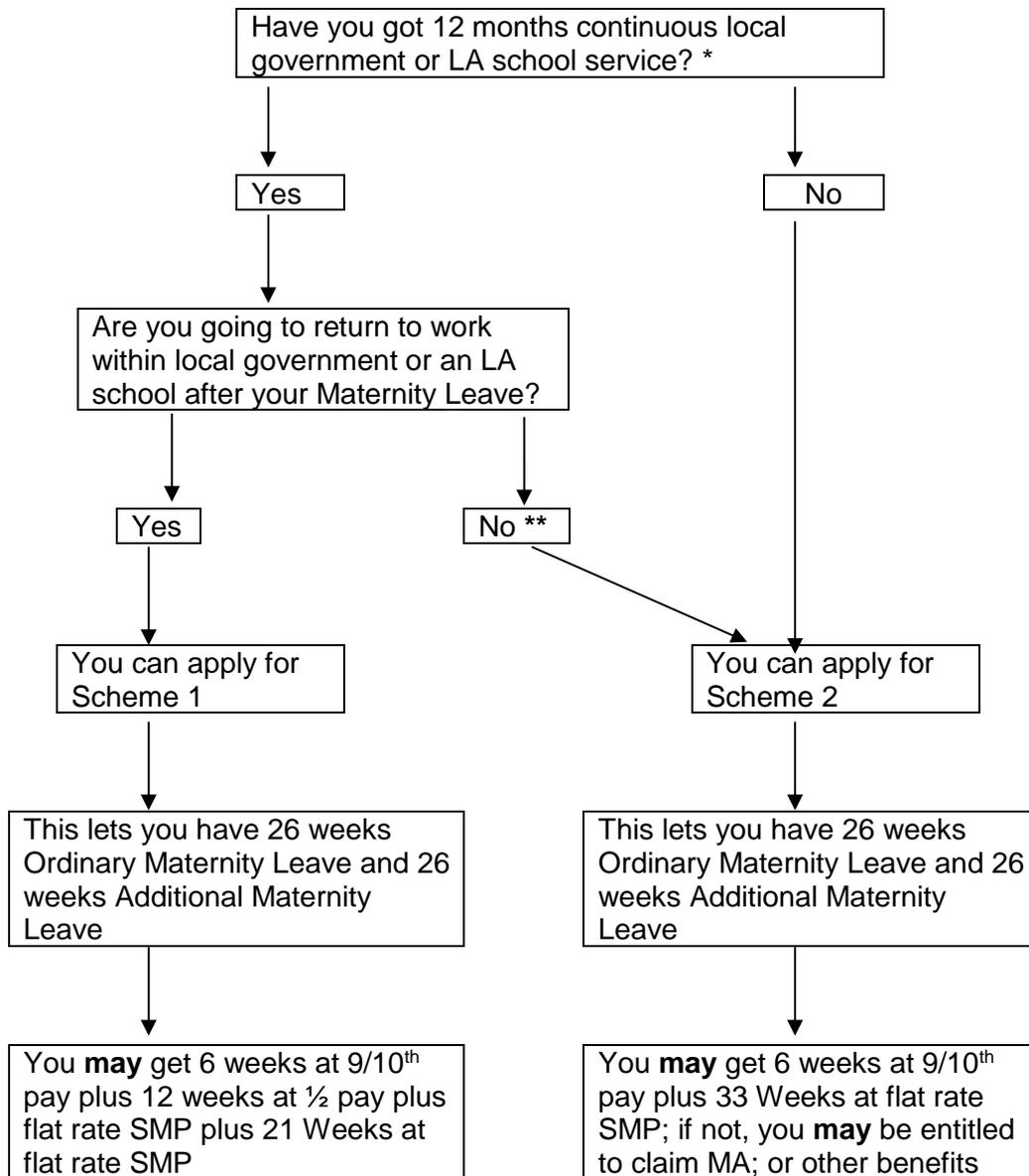
Each request will be seriously considered. Subject to business reasons or service requirements, requests may be refused or an alternative arrangement proposed. Employees who choose not to return to work must notify the Trust in writing of their resignation.

## Data protection

QUEST and Wigan Council Payroll holds staff personal information in accordance with the General Data Protection Regulation (GDPR). Personal data is held as set out in the Trust's Privacy Notices and Recruitment and Employment Privacy Notice. Further information is available from the Trust's Business Development Department, Wigan Council's DATA Privacy Primary Notice and their Recruitment and Employment Privacy notice.

Appendix 1  
**Support Staff**

**Which Maternity Scheme?**

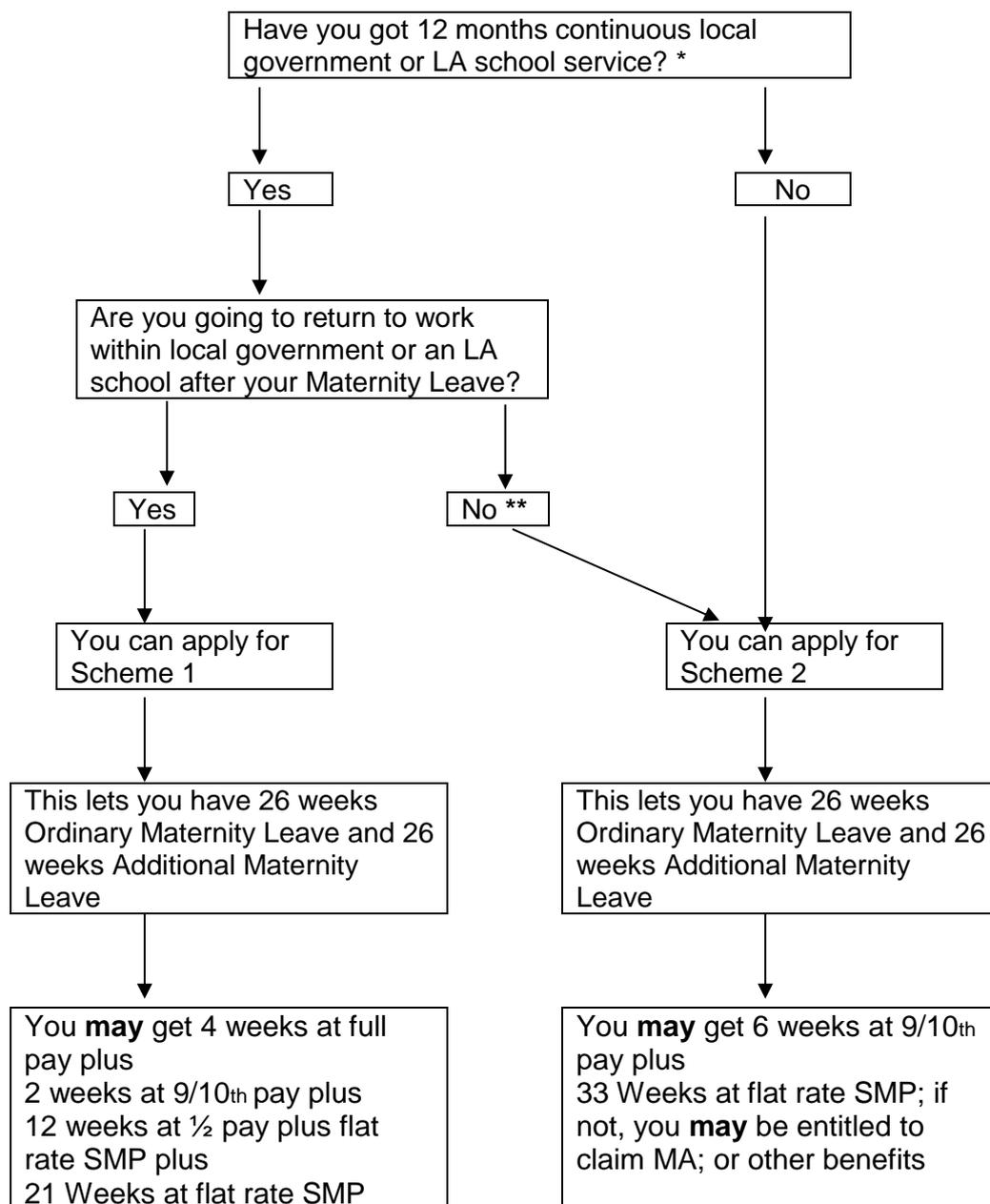


Please note that payment of Statutory Maternity Pay depends on your level of earnings, National Insurance contributions and a minimum of 26 weeks service at the 15<sup>th</sup> week before the baby is due.

\* 12 months service – the 12 months service is counted back from the 11th week before the week the baby is due.

\*\* If you later choose to return to work, you can claim the 12 weeks ½ pay by writing to the Trust’s Business Development Department. This means scheme 1 will apply.

## Teachers



Please note that payment of Statutory Maternity Pay depends on your level of earnings, National Insurance contributions and a minimum of 26 weeks service as a teacher with a local authority school.

\* 12 months service – the 12 months service is counted back from the 11th week before the week the baby is due.

\*\* If you later choose to return to work, you can claim the 12 weeks 1/2 pay by writing to the Trust's Business Development Department. This means scheme 1 will apply.

## Wigan Family Information Service

### What is the Family Information Service?

The Family Information Service or FIS (previously called the Children's Information Service) provides parents and carers with a range of free, impartial advice and information.

This includes details of registered childcare and early years' provision in the Wigan borough area.

It also provides advice on how to select the most appropriate kind of care for your child and gives information to help you decide on a particular provider.

If you need financial help towards the cost of childcare, the FIS can provide information and advice about how to apply for tax credits.

You can ring the helpline on 01942 828644 or extension 3644– Monday to Friday the line is available from 8 am until 6 pm, and on Saturday from 8 am until 12.30 pm.

You can visit the website at [www.wigan.gov.uk/familyinformationservice](http://www.wigan.gov.uk/familyinformationservice).

You can also email for information [fis@wigan.gov.uk](mailto:fis@wigan.gov.uk).

You will also find parenting advice for children aged 0-19 years, or up to 24 years if the person has a disability, in the Family Service Directory. This is available through the FIS or at [www.wiganfis.org.uk](http://www.wiganfis.org.uk).

# Maternity Application Form



PLEASE USE BLOCK CAPITALS

PLEASE ENSURE YOU READ THE MATERNITY SCHEME NOTES BEFORE COMPLETING THIS APPLICATION FORM

Employee Details							
Surname		First Name			Title		
Job Title		Employee Number <small>(This can be found on your payslip)</small>			2		
Directorate & Base / School Name					School DFE No <small>(if applicable)</small>		
Contact Number				Reporting Manager			
Date Started Employment				Are you permanent or temporary			
Working Pattern		If the Rota exceeds 2 weeks please use an additional sheet to specify the working pattern					
Week	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1							
2							

This section is to be completed by employees who have continuous service of 1 year or more		(Tick)
(a)	It is my intention to return to duty and I wish my Occupational Maternity Pay to be paid in full.	<input type="checkbox"/>
(b)	It is my intention to return to duty and I wish my entitlement to half pay to be suspended until my return to duty	<input type="checkbox"/>
(c)	I am undecided and understand that half pay will only be payable if I return to duty	<input type="checkbox"/>
(d)	I do not intend to return to duty and understand that I will not receive half pay	<input type="checkbox"/>
<p>If I do not return or do not return for at least 13 weeks then I understand that if I have received any half pay I will have to repay it.</p>		

Dates			
When is your Baby due :		When do you wish to start your maternity leave:	
Do you intend to return to work? <small>(If not please forward a copy of your resignation to the HR Employment Service Centre)</small>		YES/NO	When do you think you may return? <small>(Guide only – you must let us know the actual date you are going to return when known )</small>

You must send in your MAT B1 or MAT B2 as soon as you get it, we cannot process your application until we receive this form. Forms signed by your Doctor/Midwife earlier than 20 weeks before the week your baby is due cannot be accepted.

Employees Signature			
Signature	Name (Please Print)	Contact No	Date

You must send this completed form to us 28 days before your intended maternity leave start date. Return to Trust HR Officer at the Trust's Business Development Team who will action

# Keeping In Touch Days



PLEASE USE BLOCK CAPITALS

Employee Details					
Surname				First Name	
Employee Number (from your payslip)				Job Title	
School Name (if applicable)				School DFE No	
Directorate (if applicable)				Base	

- To be completed by the **Principal** and forwarded to The Trust Business Development Department who will forward onto HR Employment Service Centre at the end of each month that KIT days are undertaken.
- Each day an employee works during their maternity, adoption or additional paternity leave is classed as one KIT day regardless of the number of hours worked.
- Employees can work upto a maximum of 10 KIT days.

Date	Number of Hours Worked	Hourly Rate to be paid if different to contacted hourly Rate	Number of KIT Days Used	Balance of KIT Days Remaining

Employees Signature			
Signature			Name (please print)
Contact No			Date
Reporting Manager			
Signature			Name (please print)
Contact No			Date

Return to: Trust HR Officer at the Trust's Business Development Team no later than the 3<sup>rd</sup> of the month.

# Maternity Support Application Form

PLEASE USE BLOCK CAPITALS



Employee Details							
Surname		First Name					
Job Title		Employee Number <small>(from your payslip)</small>	2				
School Name <small>(if applicable)</small>		School DFE No					
Directorate <small>(if applicable)</small>		Base					
Continuous Service Date		Reporting Manager					
Home Phone No		Work Phone No					

I WISH TO APPLY FOR MATERNITY SUPPORT LEAVE (OF UP TO 5 DAYS – PRO RATA FOR PART TIME EMPLOYEES)

I ENCLOSE A COPY OF THE MATB1 CERTIFICATE OR OTHER MEDICAL EVIDENCE – SUCH AS A CERTIFICATE OF CONFINEMENT

Requested Dates of Absence (likely to be around the date of baby's birth)			
Absent From		Absent Until	

HOWEVER, SHOULD THIS VARY I WILL PROVIDE MY PRINCIPAL AS MUCH NOTICE AS POSSIBLE

Expectant Mother's Details			
Name of Expectant Mother		Expected Date of Childbirth	
House No./Street		Local Area	
Town & County		Post code	

I DECLARE THAT I HAVE BEEN NOMINATED BY THE PERSON NAMED ABOVE AS HER PRIMARY PROVIDER OF SUPPORT AT OR AROUND THE TIME OF THE BIRTH

You must send in a copy of the MAT B1 certificate or other medical evidence e.g. certificate of confinement with your application for Maternity Support Leave. We will not process your application until we receive this form.

Employees Signature			
Signature		Name <small>(Please Print)</small>	
Contact No		Date	
Reporting Manager Signature			
Signature		Name <small>(Please Print)</small>	
Contact No		Date	

HRESC. Input by:				
Signature		Name <small>(Please Print)</small>		Date
Amended		Reason		Date

Return to: Trust HR Officer at the Trust's Business Development Department