Staff Policy. Maternity and Parental Leave Policy

**Policy Statement**

This policy outlines your statutory rights and responsibilities when you are pregnant, give birth or adopt a child. It also outlines the arrangements and notification requirements before, during and after a period of maternity, adoption and shared parental leave. This document sets out provision for maternity leave and pay, and associated procedures.

**Procedures**

**Notification**

It is the responsibility of the employee to advise the manager as soon as possible after confirmation, that she is pregnant, in order that arrangements can be made to ensure that her work will have no adverse effect on either or her unborn baby**.**

**Health & safety**

A risk assessment must be completed on all pregnant workers, workers who have recently given birth and workers that are breast feeding.

Goostrey Pre-School must ensure that work will not involve a risk (as far as reasonably practicable) to the health and safety of a new or expectant mother or her baby from any processes or working condition, or physical, biological or chemical agents.

**Statutory Maternity Leave (SML)**

Statutory maternity leave is 52 weeks. It is made up of:

Ordinary leave- first 26 weeks

Additional leave- last 26 weeks

The earliest you can start leave is 11 weeks before the expected week of childbirth. Leave will also start:

The day of the birth if the baby is early

Automatically if you are off work for a pregnancy-related illness in the 4 weeks before the week (Sunday-Saturday) that your baby is due.

Any woman with at least 26 weeks continuous service by the 15th week before their expected week of childbirth (EWC) will be entitled to take additional maternity leave immediately after ordinary leave of up to a further 26 weeks (as above) bringing the total leave allowance up to 52 weeks.

Maternity leave will start automatically if the employee is absent from work wholly or partly due to the pregnancy after the beginning of the 4th week before the expected week of childbirth.

**Compulsory maternity leave**

By law, following the birth of your baby you are permitted to take a minimum of two weeks maternity leave immediately after giving birth.

**Statutory Maternity pay (SMP)**

SMP is payable up to 39 weeks.

The first six weeks of SMP is payable at the higher rate, which is equivalent of 90% of average weekly earnings (before tax). SMP will start when you take your maternity leave.

**You qualify for SMP if:**

you earn on average at least £172.48 a week (correct as of October 2024)

give the correct notice\*\*

give proof you are pregnant (provided medical evidence of the date of the baby is due at least 21 days before the maternity absence is due to start (MATB1 form)

have worked with your employer continuously for at least 26 weeks up to the “qualifying week”- the 15th week before the expected week of childbirth

\*\*correct notice- at least 15 weeks before your due date, tell your employer when they baby is due and when you want to start your maternity leave. SMP- staff must tell Goostrey Pre-School the day they would like their SMP to start and give at least 28 days’ notice, and proof of pregnancy (MATB1 form)

Goostrey Pre-School will write to you within 28 days to confirm the start and end dates.

**If you do not qualify for SMP**

Employees that do not meet the criteria for SMP will be given a SMP1 form explaining the reasons for not qualifying. There is a possibility of receiving “Maternity Allowance” instead, which is paid by the Department of Work and Pensions.

**Maternity leave, sickness and annual leave**

Maternity leave will not be treated as sickness absence and will not, therefore, be taken into account for the calculation of sickness records.

If an employee is absent due to a pregnancy- related illness from the 4th week before the expected week of childbirth, she will be transferred onto statutory maternity leave and will not be entitled to ssp. However, if sickness during pregnancy is not related to pregnancy, an employee will be entitled to SSP, unless maternity pay period has already begun.

**Ante-natal care**

Every pregnant employee is entitling to ante-natal care, irrespective of whether she qualifies for any other statutory or contractual maternity benefits.

Any pregnancy employee who has an ante-natal appointment (midwife, doctor, consultant, scan etc) has the right not to be unreasonably refused paid time off for said appointments, providing;

she requests time off for the appointments with good notice

produces a certificate of pregnancy and proof of appointment

**Adoption Leave**

If you adopt a child, you are entitled to adoption leave, which applies to both men and women. If you are part of a couple that adopts a child, you can choose which partner will take Adoption Leave and which will take Paternity Leave.

To qualify for Adoption leave you must:

be newly matched with a child for adoption by an approved adoption agency.

Have notified the agency that you agree that the child should be placed with you and have agreed the date of placement.

Notify Goostrey Pre-School of when you want to take Adoption Leave no more than seven calendar days after being notified that you have been matched with a child.

This policy is reviewed annually, or as deemed necessary.

Policy written by Nicola Ellershaw 14/10/2024