

Featherstone High School



Support Staff Maternity/Parenting Policy Guidance for Managers and Employees

Prepared by: Harjinder Johal, Personnel Manager
September 2011

Ratified by Governors on: November 2011
To be reviewed: 2013

The Maternity/Parenting Policy
has been adopted in line with the
guidance from the Local Authority
and has been ratified by the
Governing Body

Contents Page

	Introduction	4
	Scope	4
	Maternity Leave Scheme	4
1.	Definitions	4
2.	Notification of Pregnancy	5
3.	Form MATB1	5
4.	Health and Safety During Pregnancy	5
	Risk Assessment	5
5.	Antenatal Care	5
6.	Sickness	6
7.	Maternity Leave	6
8.	Maternity Pay	6
	Group A	6
	Group B	6
	Group C	7
	Maternity Allowance	7
9.	Keeping in Contact During Maternity Leave	7
	Keeping in Touch Days (KIT)	7
	Payment of Kit Days	8
10.	Notification of Birth	8
11.	Return to Work	8
	Return to Work Notice Requirements	8
	Earliest Return to Work Date	9
	Sickness at the end of Maternity Leave	9
	Returning to Work Part Time	9
	Flexible Working	9
	Job Share	9
	Employees Who do not Return to Work	10
12.	Terms and Conditions and Other Benefits	10
	Contractual Rights	10
	Annual Leave and Bank Holidays	10
	Restructuring/Redundancy	10
	Pensions	10
	Tax and National Insurance (NI)	11
	Council Loan	11
	Trade Union Membership	11
13.	General	11
	Premature Birth	11
	Twins or Multiple Births	11
	Miscarriage or Stillbirth	12
	Parental and Maternity Support Leave Scheme	13
	Adoption Leave Scheme	15
	Notification of Maternity Leave Form (MAT2)	20
	Change to Maternity Start Date Form (MAT5)	23
	Work/Keeping in Touch (KIT) Payments Form (MAT8)	24
	Risk Assessment for Pregnant Woman/Nursing Mothers	25
	Risk assessment for Display Screen Equipment	28

Introduction

The aim of the policy is to provide the employee and Managers with information regarding entitlements to maternity leave and maternity pay. It also gives details of the process the employee will need to follow when arranging their maternity leave.

This policy also provides information relating to parenting/nominated carer leave and adoption.

This policy aims to ensure that all eligible staff receive fair and consistent treatment and that the rights of pregnant workers under the Employment Act 2002 and The Work and Families Act 2006 are enforced.

Scope

This policy applies to all employees employed under the terms of the NJC for Local Government Service employees, unless otherwise stated in the contract of employment. It does not apply to teachers.

Maternity Leave Scheme

This scheme applies to all pregnant employees regardless of hours worked or length of service.

1. Definitions

The following key terms will be used throughout this document:

EWC	Expected week of childbirth
MATB1	Maternity certificate from doctor or midwife confirming pregnancy and EWC
SMP	Statutory Maternity Pay
OMP	Occupational Maternity Pay
MA	Maternity Allowance
Qualifying Week for SMP	At least 26 weeks continuous employment at beginning of 15 th week before EWC
Childbirth	Means the live birth of a child, or stillbirth after a pregnancy of at least 24 weeks
Job	Means the nature of the work which she is employed to do, the capacity and place in which she is employed
A weeks pay:	For employees whose normal hours of work do not vary the amount payable by the authority to the employee is under the current contract of employment for her normal hours in a week For employees whose normal hours of work do vary (e.g. the employee works on a rota, which includes occasional Sunday working) or where there are no normal working hours, a weeks pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, excluding any week in which no remuneration was earned. In both cases, the amount of a week's pay will be

increased to take account of any pay rises, incremental progression or any promotion from the date they take effect.

2. Notification of Pregnancy

The employee must advise their Line Manager and the Personnel Manager at least 28 days before the baby is due, or earlier if possible, in writing:

- They are pregnant
- The EWC
- Dates they intend to be absent due to maternity leave
- How they would like their accrued annual leave to be taken (if applicable)

All notifications for maternity leave should be made using the Notification of Maternity Leave Form (MAT2). HR will then write to the employee to confirm the maternity leave start and end dates and entitlements to pay within 28 days.

If the employee subsequently wants to change the date they will commence their maternity leave they can do so as long as they give 28 days notice for the new date, using the Change to Maternity start date form (MAT5). HR will then confirm in writing the amended return to work date.

3. Form MATB1

A midwife or GP will provide an employee with an MATB1 certificate approximately 6 months into the employee's pregnancy. This certificate confirms the pregnancy, and the EWC. This form is required by payroll in order for the SMP to be paid. It is therefore essential that it is forwarded to the Personnel Manager, along with the Notification of Maternity Leave Form (MAT2).

4. Health and Safety During Pregnancy

The health and safety implication of pregnancy and breastfeeding can usually be adequately addressed by normal health and safety management procedures. However, depending on where the employee works and what their duties and responsibilities are, there may be some specific hazards in their workplace, which might affect them and their unborn child's health and safety. Specific obligations apply from the time the employee notifies the school that they are pregnant. The obligations continue until 6 months after the date of childbirth (or miscarriage, where it occurs), or, where the employee is breastfeeding beyond this period, until they stop breastfeeding.

Risk Assessment

Once the employee has notified their Line Manager that they are pregnant, the Manager has a responsibility to ensure a Risk Assessment is completed on the employee's workplace (MAT9). Where a risk is identified, working conditions will need to be re-arranged to remove the risk. Further advice can be sought from the Occupational Health Unit or HR department.

5. Antenatal Care

All pregnant women are entitled to reasonable paid time off to attend antenatal care appointments, relaxation and parent-craft classes, regardless of length of service or the number of hours worked. Employees must produce evidence of appointments if requested to do so, except in the case of the very first appointment. Employees should give as much notice as possible of antenatal appointments so that the Line Manager has time to make any necessary arrangements to cover their absence.

6. Sickness

If an employee is medically unfit to work during the last four weeks before the EWC, and the reason for the absence is partially or wholly related to pregnancy, an employee's maternity leave will commence the day after the first completed day they are off sick. HR will then write to the employee to confirm the new maternity leave start and end dates. In this event normal pay or sick pay will stop and maternity pay will commence automatically (if applicable). If the cause is non-pregnancy related the employee will receive or continue to receive sick pay (where appropriate) and can return to work once fit providing their GP is happy to certify this.

7. Maternity Leave

The earliest date that maternity leave can start is 11 weeks before the EWC. An employee may work up until their baby is born if they are fit and healthy and the work environment does not present any significant risks to their health and safety.

All pregnant employees are then entitled to take up to 52 weeks maternity leave from the beginning of the week (Sunday) in which the child is born.

This leave entitlement should not be interpreted as giving any rights to maternity pay, for which there are specific qualifications outlined in this guidance.

8. Maternity Pay

Entitlement to maternity pay depends on an employee's length of service and level of earnings. Maternity pay may be made up of a combination of occupational maternity pay (OMP) and statutory maternity pay (SMP).

Group A

Employees with 30 weeks of continuous Local Government Service at the EWC, and do not fall in Group B or C are entitled to Occupational Maternity Pay:

- For the first six weeks of absence – 9/10ths of a weeks salary, offset against payments made by way of MA.
- For the next twelve weeks of absence – half pay. Any continued half pay and MA (and any dependent's allowances) must not exceed full pay.

Group B

Employees who have 41 weeks continuous service with **Ealing** at the EWC and do not fall in Group C are entitled to a combination of Statutory and Occupational Maternity Pay:

- For the first six weeks of absence – 9/10ths of a week's salary, offset against payments made by way of SMP (or MA and any dependent's allowances).
- For the next twelve weeks of absence – half pay plus SMP. The combined half pay and SMP (or MA and any dependent's allowances) must net exceed full pay.
- For the next twenty one weeks – twenty one weeks SMP.

Group C

Employees with 12 months continuous service with **Ealing** at the expected week of childbirth are entitled to the same provisions as Group B except that they receive an additional six weeks half pay making a total of 18 weeks half pay. The combined half pay and SMP (or MA and any dependent's allowances) must not exceed full pay.

Entitlement to half pay is dependant upon the employee returning to work for a Local Authority following their maternity leave for a period of at least three months full time or equivalent returning on a part time basis.

If an employee is unsure whether or not she intends to return to work at the end of her maternity leave, she may opt to defer the additional 12 weeks or 18 weeks at half pay (depending on length of service) until she has returned to work.

In the event of the employee not returning to work following maternity leave she shall be required to refund the half pay to the school. The employee will not have to refund any SMP payments.

Maternity Allowance

Employees who do not qualify for Statutory Maternity Pay (SMP) may be entitled to Maternity Allowance (MA), paid by the benefits agency for up to 26 weeks. To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth (EWC) and must also earn above the lower earnings limit.

9. Keeping in Contact Days During Maternity Leave

Managers must maintain reasonable contact with employees during maternity leave to update them on work developments and discuss Return to Work plans. Managers must keep the employee informed of promotional opportunities and other information relating to the job that they would normally be made aware of if they were working. This will assist all parties once the maternity leave is over and the employee returns to work. Managers should discuss with employees how they wish this contact to be made in a way that is suitable to both parties and could be, for example, be by telephone, e-mail, letter or in other mutually agreeable ways.

Keeping in Touch Days (KIT)

Employees by agreement with their Managers may work for up to 10 days without bringing their maternity leave to an end or losing SMP. Work cannot be undertaken during the two weeks of compulsory maternity leave immediately after the birth. KIT days are different from the reasonable contact that employers and employees may make with one another, as during KIT days, employees actually carry out work for the employer, for which they will be paid.

The Keeping In Touch Days do not have to be consecutive and may be used for an activity, which would normally be classed as work under the employees contract of employment, for which they would be paid. KIT days may be useful, for example, in allowing the employee to undertake work related activities such as attending a conference, undertaking a training activity or attending meetings. Any work and the type of work undertaken during the maternity leave period must be by agreement with the Manager and the employee. There is no obligation on either party for this work to be offered or accepted. **Any** work done on any day **during the maternity pay or maternity leave period** will count as a **whole KIT day**. Any days of work undertaken will not extend the maternity leave period.

The Manager needs to ensure that the employee does not work more than 10 KIT days during their maternity leave period.

Payment of KIT days

Managers will be required to complete and authorise a KIT form (Form MAT8). This form needs to be sent to the Personnel Manager as soon as the employee has worked the KIT day so they receive the payment; if possible, within the pay period they have worked. An employee who works **up to half a KIT day** during the **unpaid maternity leave period** will receive the equivalent of **half a days' pay**. An employee who works **more than half a KIT day** will receive the equivalent of a **full day's pay**. Where a KIT day occurs during the paid maternity leave period, contractual pay receivable under the preceding paragraph will be paid without deduction, except to the extent to which the combined pay, OMP and SMP exceeds the full pay.

10. Notification of Birth

Following the birth of the baby the employee is required to send a copy of the birth certificate to the Personnel Manager who will then confirm in writing the maternity leave entitlement, adjust, if necessary the anticipated date of return and inform payroll.

11. Return to Work

An employee has a right to return to the job in which they were employed under their existing contract of employment, and on terms and conditions at least as favourable as those that would have applied had they not been on maternity leave.

Return to Work Notice Requirements

An employee is only required to provide notice of their return to work date if they are planning to return early i.e. before the end of their full maternity leave. The employee must provide 21 days notice in writing of the new

return to work date. Failure to provide notice could result in the return date being postponed.

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

If the employee does not return to work on the agreed return date the Manager must inform the Personnel Manager and payroll immediately, to ensure the employee is paid correctly.

Earliest Return to Work Date

For health and safety reasons an employee cannot return to work within two weeks of the actual date they give birth. This is a compulsory leave period and cannot be varied under any circumstances.

Sickness at the end of Maternity Leave

An employee who is unable to return to work from maternity leave on the notified date due to sickness is required to notify their Manager immediately and follow normal sickness absence notification requirements.

Returning to Work Part Time

Employees may opt to return to work on a part-time basis for the first six months. If the employee wishes to pursue this option, they will be required to give their Manager as much notice as possible of their preferred working pattern. This will allow time for the Line Manager to consider the working pattern, implement the necessary support or consult with the employee on another suitable working pattern. All necessary terms and conditions of employment will be pro-rata i.e. pay, annual leave.

At the end of the six month period the employee may request to continue their part time working or amend their working pattern. The Manager will further consider the full range of temporary or longer term flexible working arrangements and attempt to facilitate the employees request (including arrangements necessary to facilitate breast feeding).

Employees who have received half pay need to be mindful of their obligation to return to work for a period of three months or equivalent if they are returning part time.

Flexible Working

Parents of children aged under 6, or of disabled children under 18, have the statutory right to work flexibly. The Council has extended this right to request to all employees with 26 weeks continuous service with the school. The Council has a locally agreed procedure to consider a request and a duty to consider such requests seriously.

Job Share

Employees may request to return to work on a job share basis.

Employees Who do not Return to Work

If an employee resigns whilst on maternity leave the last day of service will be the date on which the confirmation of the resignation is received. That is, the school will not require that the notice period should be worked.

12. Terms and Conditions and Other Benefits

Contractual Rights

During maternity leave (both paid and unpaid), the employee's Contract of Employment will continue and they will retain all their contractual rights, with the exceptions of remuneration. Maternity leave will count as continuous Local Government service and will not affect their annual increments or entitlements to additional annual leave.

Annual Leave and Bank Holidays

Annual leave will continue to accrue during maternity leave, whether paid or unpaid, as if the employee were at work. Employees will also be entitled to any Bank Holidays and statutory days accrued during the paid period of maternity leave. For part time staff, the amounts accrued will be pro-rata.

Where the amount of accrued annual leave will exceed normal carry over provisions, the employee, in agreement with their Line Manager, may take annual leave before the commencement of their maternity leave and at the end of their maternity leave.

Restructuring/Redundancy

Whilst on maternity leave employees have the same rights to be consulted on any changes regarding their job as if they were at work.

In cases of restructuring or redundancy, which affect the employee's right to return to their original post, wherever practical, suitable alternative employment will be offered. Any alternative employment offered must be available at the time, suitable to the employee, appropriate to the circumstances and the capacity and place in which the employee is employed and their Terms and Conditions of Employment must not be substantially less favourable than the job in which they were originally employed. However, should no suitable alternative employment be available, the employee may be entitled to redundancy pay under the school's procedure. At all stages during the restructuring process, the employee will be kept informed and will be invited to attend team meetings, briefings, etc.

Pensions

During the paid period of maternity leave, pension contributions will be based on the actual amount of maternity pay, received by the employee. The employer's pension contributions are, however, calculated as if the employee were working normally and receiving the normal remuneration for doing so.

During any period of unpaid absence, neither the employer nor the employee pays any contributions. It is, however, possible for the employee to cover any gap in their contribution record.

For more details of the pension scheme and the effect of maternity leave, contact the pension administrators, London Pension Fund Authority, Ealing Pensions Team, Dexter House, 2 Ryal Mint Court, London EC3N 4LP, Tel: 020 7369 6115 or e-mail: ealing@lpfa.org.uk

Tax and National Insurance (NI)

Occupational Maternity Pay is liable to tax and deductions of NI contributions, in the same way as normal pay. During any period of **unpaid** maternity leave **no NI contributions will be made on the employee's behalf**. If the employee's earnings fall below the lower earnings limit for NI contributions they will not be liable to pay them.

If the total NI contributions fall below the minimum threshold at the end of the tax year the employee should receive a notice from the HM Revenue and Customs (HMRC), National Contributions Office, inviting them to make up the contributions. It is up to them to decide whether or not they wish to pay them but they should note that non-payment might affect their ability to claim contributions-related benefits in the future.

Council Loan

If the employee is in receipt of a council loan such as a car loan or season ticket loan, they will be expected to continue with the repayments whilst on maternity leave, otherwise outstanding sums will be reclaimed in one lump on their return to work. If the employee has a season ticket, which they do not require for the duration of their maternity leave, they should contact the Refund Department of London Transport or British Rail to claim a refund for the period when the ticket is not in use.

Trade Union Membership

Trade Union membership will continue throughout the maternity leave period and the employee should inform their shop steward or union office of their maternity leave to ensure union news, publications and other union information is sent to their home address at regular intervals.

13. General

Premature Birth

If the baby is born alive prematurely, the maternity pay and leave entitlements will not be affected.

Should the baby be born before the 11th week before the EWC and the employee is still working during the actual week of childbirth, the maternity leave will start on the day after the first day of absence.

Twins or Multiple Births

If the employee is expecting more than one child their entitlement to maternity leave and pay is the same as if they were expecting one baby.

Miscarriage or Stillbirth

In the unfortunate event that the employee has a miscarriage or loses their baby after 24 weeks of pregnancy, the employee will be entitled to maternity leave and pay. If the miscarriage or stillbirth occurs before the 24th week of pregnancy, sympathetic consideration will be given to the circumstances and special or sick leave given where necessary.

Parental and Maternity Support Leave Scheme

1. Eligibility Criteria

Employee's who are the child's father or the partner or the nominated carer of the expectant mother who have less than 30 weeks Ealing service at the date of childbirth, will be eligible for 5 days paid (or pro-rata based on hours worked) parental/maternity support leave. This leave should be taken at or around the time of the birth.

Employees who are the child's father or the partner or the nominated carer of the expectant mother who have more than 30 weeks of continuous local government service at the date of childbirth, will be eligible for 10 days paid parental/maternity support leave (or pro-rata based on hours worked) to be taken at or around the time of the birth.

Employees with more than 30 weeks continuous service with Ealing are entitled to up to 13 weeks unpaid statutory parental leave (or pro-rata based on hours worked) to be taken within five years following the birth of the child for whom they have parental responsibility. In the case of a child born with a disability (who is eligible for Disability Living Allowance) this is extended to the first eighteen years. Where paid parental/maternity support leave is taken this will form a part of the overall 13 week entitlement (i.e. the combined maximum period of paid and unpaid leave is thirteen weeks).

The paid provision should normally be taken at or around the time of the birth with the remaining period of unpaid leave taken within the first 5 years after the birth. The full entitlement may be taken at the time of the birth subject to the eligible employee giving three months written notice of this intention. If preferred, the employee can request that leave is taken on a flexible/staggered basis. If staggered this must be taken in whole weeks subject to a maximum of four weeks, and be agreed in advance with the designated Manager.

Employees should give their Line Manager in writing as much notice as possible of their request for parental/maternity support leave (minimum 7 days notice). The employee may be required to provide proof of the birth or expected birth before parental/maternity leave is granted.

Employees transferring to Ealing from another employer who have parental responsibility for a child will be entitled to a maximum of four weeks unpaid leave in any twelve month period up to the fifth birthday of the child or 18th of a child with a disability.

2. Terms & Conditions and Other Benefits

The Employment Contract continues during absence on parental/maternity support leave. The employee will continue to benefit for his/her statutory employment rights during parental/maternity support leave. Holiday

entitlement will also continue to accrue during parental/maternity support leave.

3. Recording Time Taken for Parental Leave

Managers should ensure that a record is kept of any parental/maternity support leave taken on the employee's personnel file.

4. Sickness During Parental Leave

When taken, parental/maternity support leave will not count against either holiday or sick leave entitlement.

5. Return to Work

Except in the case of redundancy, an employee returning from parental/maternity support leave has a right to return to the same or similar job that they did before the start of parental/maternity support leave, and on terms no less favourable than their substantive post.

If the employee does not return to work on the agreed return date the Manager must inform the Personnel Manager and payroll immediately, to ensure the employee is paid correctly.

Adoption Leave Scheme

1. Eligibility Criteria

An employee must meet the following criteria:

- Have at least 30 weeks continuous service in **Local Government service** at the date of the application for adoption leave, and be the principle carer of the adopted child; or;
- Have worked continuously for **Ealing** for at least 26 weeks leading into the week in which they are notified of being matched with a child for adoption; and;
- Are being matched with a child for adoption by an approved adoption agency and produce a matching certificate from the agency.

Employees who are not eligible for adoption leave as specified above may apply for time off without pay or use annual leave.

2. Notification Requirement to Take Adoption Leave

An employee will be required to inform their Manager and the Personnel Manager of their intention to take adoption leave within 7 days of being notified by their adoption agency that they have been matched with a child for adoption, unless this is not reasonably practicable. Employees will need to clarify:

- When the child is expected to be placed with them.
- When they want their adoption leave to start.

The Personnel Manager will respond to the notification within 28 days. Within that response they will clarify the Return to Work date assuming the full adoption leave entitlement is taken.

If the employee subsequently wants to change the date that they will commence their adoption leave they can do so as long as they give 28 days notice of the new date. The Personnel Manager will then confirm in writing the amended return to work date.

3. Matching Certificate

Employees must produce a letter and a Matching Certificate from an approved adoption agency confirming the adoption/proposed adoption. The letter must contain:

- The name and address of the agency.
- The name and date of birth date of the child.
- The date on which the employee was notified that they had been matched with the child.
- The date on which the agency expects the child to be placed with the employee.

Similarly, if the child being adopted is from overseas, the employee must produce a letter from the approved British agency that conducted the Home Study Report. This letter must state that the applicant has been approved to adopt the child and also state which country the child is from. In all cases, the Children Services department must verify that the adoption agency has approved status for adoption purposes.

For overseas adoption the employee is also required to provide evidence that the child has entered Great Britain. Adoption leave and pay must begin within 28 days of the child's entry to Great Britain and must be completed within 56 days on the child's entry.

4. Pre-Placement Support

Employees are entitled to a maximum 3 days paid leave to attend pre-placement discussions, meetings and pre-adoption training courses (subject to the course being run by the adoption or other approved agency). The request for pre-placement leave must be supported by a letter from the recognised agency confirming the dates/times of meetings etc. and should be made at least 7 working days before the date of the event.

In the adoption process, it is usual for there to be a period of introduction before the child goes to live with the prospective adopter/s. Employees are entitled to a maximum of 5 days paid leave for the trial placement period. All employees wishing to take advantage of this leave provision must produce written confirmation from the adoption agency, at least 5 working days prior to the start of the introductory period.

If an eligible employee is not going to be the principal carer, they will still be entitled to the benefits of the pre-placement provision of this scheme.

5. Parental and Maternity Support Leave

The provisions of the Parental Maternity Support Leave Scheme also apply to the Adoption Leave Scheme. With reference to adoption, the "date of childbirth" in the scheme would be replaced with the "date of official placement or in the case of overseas adoption the "date the child enters Great Britain".

Leave taken under this scheme must be taken within 5 years of the official date of placement or before the child's 18th birthday (whichever occurs first).

For further details please see The Parental and Maternity Support Leave Scheme.

6. Adoption Leave

Employees are entitled to take up to 52 weeks adoption leave commencing from either the official date of placement or a pre-determined date no earlier than 14 days before the expected date of placement (and not later than the expected date of placement).

7. Adoption Pay Statutory Adoption Pay (SAP)

Employees are entitled to 39 SAP if they have been continuously employed by the school for a period of not less than 26 weeks ending with the week they are notified of having been matched with the child. SAP is also subject to various other statutory conditions.

Occupational Adoption Pay (OAP)

Employees must have at least 30 weeks continuous service in Local Government at the date of application for adoption leave, and be the principal carer of the adopted child, in order to be eligible for OAP.

The payment of the OAP is conditional on the employee returning to work for the school for 3 calendar months (or equivalent if returning part time) following their adoption leave. Should the employee not return to work for the full 3 calendar months (or equivalent) they will be required to repay that element of their OAP. The employee will not have to refund any payments by way of SAP.

An employee can opt to return on reduced hours but the minimum length of return is then extended proportionally; for example, an employee of a 35 hour per week contract must return to work for 6 months if he/she has opted to return to work for 17.5 hours per week.

An employee who meets the required criteria will receive adoption pay, which is a combination of SAP and OAP, as outlined below:

Age of Child	Paid Leave Entitlement	Unpaid Leave Entitlement
Under 1 year	<ul style="list-style-type: none"> 6 weeks at 90% average pay (offset against SAP) 12 weeks at 50% pay plus SAP* 21 weeks SAP 	13 weeks additional adoption leave
Over 1 and under 5 years	<ul style="list-style-type: none"> 6 weeks at 90% average pay (offset against SAP) 10 weeks at 50% pay plus SAP* 23 weeks SAP 	13 weeks additional adoption leave
Over 5 and under 11 years (pre-secondary school)	<ul style="list-style-type: none"> 6 weeks at 90% average pay (offset against SAP) 10 weeks at 50% pay plus SAP* 27 weeks SAP 	13 weeks additional adoption leave
Over 11	<ul style="list-style-type: none"> 3 weeks at 90% average pay (offset against SAP) 10 weeks at 50% pay plus SAP* 33 weeks SAP 	13 weeks additional adoption leave

* combined half pay and SAP must not exceed full pay

Adoption leave and pay is not available in circumstances where a child is not matched for adoption, for example, when a step-parent is adopting a partner's children.

Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

Where both adoptive parents are employees of LBE, only one may opt for the paid part of the adoption leave.

8. Keeping in Touch During Adoption Leave

Managers must maintain reasonable contact with employees during adoption leave to update them on work developments and discuss return to work plans. Managers must keep the employee informed of promotion opportunities and other information relating to the job that they would normally be made aware of if they were working. This will assist all parties once the adoption leave is over and the employee returns to work. Managers should discuss with employees how they wish contact to be maintained before adoption leave is commenced. This contact can be made in a way that is suitable to both parties and could be, for example, by telephone, e-mail, letter or in other mutually agreeable ways.

Keeping in Touch Days (KIT)

Employees by agreement with their Managers may work for up to 10 days without bringing their adoption leave to an end or losing SAP. KIT days are different from the reasonable contract that employers and employees make with one another, as during KIT days, employees can actually carry out work for the employer, for which they will be paid.

The KIT days do not have to be consecutive and may be used for an activity, which would normally be classed as work under the employee's contract of employment, for which they would be paid. KIT days may be useful, for example, in allowing the employee to undertake work related activities, such as, attending a conference, undertaking a training activity or attending meetings. Any work and type of work undertaken during the adoption leave period must be by agreement with the Manager and the employee. There is no obligation on either party for this work to be offered or accepted. **Any work** done on any day **during the adoption pay or adoption leave** period will count as a **whole KIT day**. Any days of work undertaken will not extend the adoption leave period.

Payment of KIT Days

Managers will be required to complete and authorise a KIT form (see form MAT8). This form needs to be sent to payroll as soon as the employee has worked the KIT day so they receive the payment; if possible, within the pay period they have worked. An employee who works **up to half a KIT day during the unpaid adoption leave period** will receive the equivalent of half a days pay. An employee who works more than half a KIT day will receive the equivalent of a full days pay.

Where a KIT day occurs during the paid adoption leave period, contractual pay receivable under the preceding paragraph will be paid without deduction, except to the extent to which the combined pay, OAP and SAP exceed full pay.

9. Return to Work

Employees must return to work no later than 52 weeks from the date the adoption leave commenced. An employee is only required to provide notice of their return to work date if they are planning to return early i.e. before the end of their full 52 weeks adoption leave. The employee must provide 21 days notice in writing of the new return to work date. Failure to provide notice could result in the return date being postponed.

Except in the case of redundancy, an employee returning from adoption leave has a right to return to the same or similar job that they did before the start of adoption leave, and on terms no less favourable than their substantive post.

If the employee does not return to work on the agreed return date, the Manager must inform the Personnel Manager and payroll immediately, to ensure the employee is paid correctly.



Notification of Maternity Leave Form Form (MAT2)

Name _____

Address _____

Home/Mobile Tel No _____

Job title _____

Location/Department/School _____

Employee Number _____

I have received and read the School's Maternity Guidance

Maternity Leave

Expected date of Childbirth* _____
(*must be substantiated by a MATB1 certificate of the expected date of childbirth from a registered medical practitioner or registered midwife).

I wish to commence my maternity leave on _____. I also attach the original copy of my MATB1 Certificate.

If you wish to change the above date please ensure you provide 28 days written notice to your Manager/Head Teacher and HR before the commencement date.

Annual Leave Arrangements (if applicable)

I have agreed with my Manager to take _____ days annual leave immediately prior to the commencement of my maternity leave.

Immediately following my maternity leave I have also agreed to take _____ days annual leave.

Maternity Pay

Please indicate which entitlement refers to you:

Group A

Employees who have a minimum of 30 weeks continuous Local Government Service at the expected week of childbirth and who do not fall into either Group B or C are entitled to Occupational Maternity Pay (OMP)*.

- For the first 6 weeks of absence – 9/10ths of a weeks salary, offset against payments made by way of MA.
- For the next 12 weeks of absence – half pay. Any combined half pay and MA (any dependent's allowances) must not exceed full pay.

Please tick one of the 3 boxes below:

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ **I wish to defer** the additional 12 weeks at half pay until I have returned to work, in case I decide not to return to work.
- ☐ **I do not wish to return to work** following my maternity leave and understand I will **not receive half pay**.

*employees in the group may be entitled to maternity allowance. This would, however, be offset against any occupational pay received.

Group B

Employees who have 41 weeks continuous service with Ealing at the expected week of childbirth and who do not fall in Group C are entitled to a combination of statutory and occupational maternity pay.

- For the first 6 weeks of absence – 9/10ths of a weeks salary, offset against payments made by way of SMP (or MA and any dependent's allowances).
- For the next 12 weeks of absence – half pay plus SMP. The combined half pay and SMP (or MA and any dependent's allowances) must not exceed full pay.
- For the next 21 weeks – 21 weeks SMP.

Please tick one of the 3 boxes below:

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ **I wish to defer** the additional 12 weeks at half pay until I have returned to work, in case I decide not to return to work.

- ☐ **I do not wish to return to work** following my maternity leave and understand I will **not receive half pay**.

Group C

Employees who have 12 months continuous service with Ealing at the expected week of childbirth are entitled to a combination of statutory and occupational maternity pay.

- For the first 6 weeks of absence – 9/10ths of a weeks salary, offset against payments made by way of SMP (or MA and any dependent's allowances).
- For the next 18 weeks of absence – half pay plus SMP. The combined half pay and SMP (or MA and any dependent's allowances) must not exceed full pay.
- For the next 15 weeks – 15 weeks SMP.

Please tick one of the 3 boxes below:

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ **I wish to defer** the additional 18 weeks at half pay until I have returned to work, in case I decide not to return to work.
- ☐ **I do not wish to return to work** following my maternity leave and understand I **will not receive half pay**.

Group D

Employees with less than 30 weeks continuous local government service at the expected week of childbirth are not entitled to Occupational or Statutory Maternity Pay.

- ☐ I do wish to return to work following my maternity leave.
- ☐ I do not wish to return to work following my maternity leave.

I understand the following:

Only if I select that I intend to return to work following maternity leave will my post be kept open for me until the end of my maternity leave.

If I do not return to work following maternity leave for at least 3 months (or equivalent if returning part time) I will be required to refund the half pay to the school, I will not be required to refund any SMP payments.

I understand that once the baby is born that I must provide a copy of the birth certificate to confirm my maternity leave entitlements.

That my maternity payments are subject to tax, national insurance and any other voluntary deductions (ie pension, trade union membership fees etc).

Employees signature _____ Date _____

I confirm the above details are correct

Managers/HeadTeacher Signature _____ Date _____

I confirm the above details are correct.



Change to Maternity Start Date Form (Form MAT5)

Name _____

Address _____

Home/Mobile Tel No _____

Job title _____

Location/Department/School _____

Change to Maternity Start Date

Expected date of Childbirth _____

I wish to change the date I commence by maternity leave from: _____

To: _____

Change to Annual Leave Arrangements (if applicable)

I have agreed with my Line Manager to take _____ days annual leave immediately prior to the commencement of my maternity leave.

Immediately following my maternity leave I have also agreed to take _____ days annual leave.

Employees signature _____ Date _____

I confirm the above details are correct

Managers/Head Teacher Signature _____ Date _____
 I confirm the above details are correct.



Work/Keeping in Touch (KIT) Payments Form (Form MAT8)

Employee Name:	Job Title:
Employee No:	Place of Work:
Contact No:	Manager/Head:

The above employee has worked the following KIT days:

Date	Activity i.e. training, team meeting, project work	Half Day/ Full Day*

*half a day worked or less = half a day's pay. More than half a day worked = full day's pay

The total number of days to be paid are _____

For Payroll use only:

Mth/Yr paid	Code	Amount	Processed By	Authorised By



Risk Assessment for Pregnant Woman/Nursing Mothers

To minimise any risks to which they may be exposed to during the course of their pregnancy and where appropriate, on their return to work the Personnel Manager / HR Representative should complete this form, following a discussion with the individual concerned

Name	
Department	
Job Title	
Hours	

Ante-Natal/Expectant Mothers

Received written confirmation of pregnancy:

Expected leaving date:

Estimated date of delivery:

How many weeks pregnant is the employee:

Post-Natal / New Mothers

Date of delivery:

Date of return to work:

Is the colleague breastfeeding:

Pregnancy Risk Assessment Guidelines

Aspects of Pregnancy	Factors in Work
Morning sickness	Early shift work
Headaches	Exposure to nauseating smells
Backache	Standing/manual handling/posture
Varicose veins	Standing/sitting
Haemorrhoids	Working in hot conditions
Frequent visits to the toilet	Difficulty in leaving job/site of work
Increasing size	Use of protective clothing work in confined areas manual handling
Tiredness	Overtime, evening work
Comfort	Problems of working in tightly fitting work uniforms
Balance	Problems of working on slippery wet surfaces



Risk Assessment for Pregnant Woman/Nursing Mothers

Checklist questions	Yes	No	Further Action
Morning sickness Does the job involve shift work? Exposure to bad smells? Is there adequate access to drinking water/toilet facilities?			
Backache Does the job involve long periods of standing or sitting? Does the job involve driving a vehicle? If Yes, does it involve getting in and out of the vehicle many times? Is manual handling involved, Yes, has a Risk Assessment been completed?			
Tiredness Is there a requirement to work overtime? Is evening/night work involved? Are hours arranged so that there is sufficient time to take rest breaks? Are there suitable facilities within the rest area to lie down? Are there facilities to express and store milk?			
Balance Are there problems of working on wet/slippery floors/unstable surfaces? Is there a requirement for climbing on ladders or kick stools?			
Stress/confrontations Does the job involve contact with members of the public i.e. home visits, counter interviews etc. Are any of the tasks which are known to be particularly stressful, for example dealing with customers or complaints and handling cash and valuables? Has a VDU/DSE assessment been completed?			
Does the job involve exposure to: Vibration Noise Chemicals Biological agents e.g., Legionnaires disease, tetanus, hepatitis, German measles, chicken pox			

NB Hazard data sheets + COSHH Assessments must be referred to, in order to determine if the chemicals/substances used could cross the placenta and affect the unborn child/foetus.

Review date:
Referral to Occupational Health:
Date Contracted Occupational Health:

Use this space below to summarise the discussion taken place and or if you have identified any medium /high risks in part one and / answered 'yes' to statements above please state proposed temporary actions/recommendations.

--

Risk Assessment for:

Date completed:

Completed by:

Signed by colleague:

Risk Assessment for Display Screen Equipment

Checks	Yes	No	Acceptable /Not Acceptable Control Measures
<p>Equipment Screen Stable/flicker-free/correct angle, glare-free, and clear image.</p> <p>Keyboard Mouse/use of mouse mat, any defects</p> <p>Desk/Table Glare-free big enough/clear and unobstructed</p> <p>Cabling/Electrical Are there any running under your chair or catching your feet under the desk?</p> <p>Environment Temperature Is there a fresh supply of air – is it too hot/cool/stuffy</p> <p>Too noisy</p> <p>Static Do you get any static shocks from the carpet or cabinets/cupboards</p> <p>Lighting Appropriate for the tasks, enough space, are traffic routes clear from slips and trips</p> <p>Information and Training Software Suitable/adequate to do your job, taking breaks. To give your eyes a rest, do something else for 10 minutes</p> <p>Health and Safety Requirements Eyesight Tests (2 years) Free</p>			

Risk Assessment for:

Date completed:

Completed by:

Signed by colleague: