

Ormiston Academies Trust

Maternity policy

Policy version control

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1. About this policy

- 1.1. Ormiston Academies Trust recognises its legal obligations with regards to maternity entitlements and is committed to supporting best practice in relation to maternity provision.
- 1.2. Employees have certain statutory maternity rights, including the right to maternity leave, maternity pay and to return to work after their baby is born. In addition to the statutory provisions the Trust operates a contractual maternity scheme for eligible teachers and support staff, based on the Green Book and Burgundy Book.
- 1.3. OAT is committed to ensuring the health, safety and welfare of all employees including those that are pregnant and breastfeeding employees.
- 1.4. The Trust recognises that employees have protection against detriment, disadvantage, unfair treatment or dismissal arising from pregnancy or maternity leave.
- 1.5. This policy and procedure explains:
 - 1.5.1. The entitlements and benefits for pregnant employees and new mothers.
 - 1.5.2. The requirements and procedures employees will need to comply with in order to obtain maternity benefits.
- 1.6. Employees are advised to read this document carefully as failure to follow the procedures could impact on maternity benefits, the academy HR Manager or Finance Manager will be able to help with any questions.

2. Scope

- 2.1. This policy and procedure is applicable to all employees of Ormiston Academies Trust, Head Office and academies,
- 2.2. Maternity rights apply equally to full-time and part-time employees regardless of how many hours worked, provided qualifying conditions are satisfied.

3. Responsibilities of the Trust

- 3.1. To comply with statutory and contractual provisions relating to maternity leave and pay.
- 3.2. To take due regard of the health, safety and welfare of pregnant Employees.
- 3.3. Not to disadvantage an employee for exercising their maternity rights.

4. Responsibilities of the Employee

- 4.1. To comply with the notification arrangements and timescales set out within this document and for teachers within the Burgundy book
- 4.2. To maintain reasonable contact with the Principal/Line Manager and advise the Trust as soon as is practicable should their intentions regarding maternity leave change.
- 4.3. It is advisable that employees notify their Principal/Line Manager as early as possible so that a risk assessment can be completed, and maternity pay information can be shared.

5. Procedure

5.1. Maternity Leave Entitlements

5.1.1. Employees are entitled to take up to 52 weeks maternity leave regardless of their length of service. Maternity leave is comprised of:

- 26 weeks ordinary maternity leave
- 26 weeks additional maternity leave

- 5.2. Additional maternity leave immediately follows ordinary maternity leave with no gap in between.
- 5.3. The law requires that all employees take a minimum of 2 weeks compulsory maternity leave immediately after the birth of their child during which time they are not permitted to work.
- 5.4. Employees may also take parental leave, please refer to the Parental Leave Policy for more information.

6. Summary of Maternity Leave and Pay Entitlement

6.1. Entitlement to maternity leave and pay for all categories of employees, including part time staff.

6.1.1. All employees are entitled to take up to one year (52 weeks) maternity leave from day one of employment. The 52 weeks leave consists of 26 weeks Ordinary Maternity Leave (OML) followed continuously by 26 weeks Additional Maternity Leave (AML). An employee cannot return to work earlier than two weeks after childbirth.

6.1.2. The statutory requirement is for the employee to notify the employer of the intention to take maternity leave by **15 weeks before the Expected Week of Childbirth (EWC) or as soon as is reasonably practicable**. The employer is required to respond in writing to the request within **28 days** of the request being made.

6.1.3. There is a requirement to give the employer **at least 28 days' notice** of the date on which the absence will begin.

6.1.4. If the employee wants to change the start date of their maternity leave, she must give the employer 28 days' notice, or agree a new date.

6.1.5.If the employee wishes to resign her employment the **normal contractual notice period applies.**

6.1.6.The employee is not required to give notice of her intention to return to work following maternity leave unless she returns before the end of the 52 week period, in which case she must give 28 days' notice of her intention to return.

6.2. For all categories of employees with **more than 26 weeks service** as at the 15th week before the EWC but less than 1 years' service as at the 11th week before the EWC

6.2.1.In addition to the maternity entitlement for employees set out above, for those with more than 26 weeks service as at 15 weeks before the EWC, there is a possible entitlement to be paid Statutory Maternity Pay (SMP), depending on the employee meeting certain conditions.

6.2.2.To qualify for SMP the following conditions must be met:

- The employee must have been continuously employed by her current employer for at least 26 weeks by the beginning of the 15th week before the EWC. This 15th week is called the qualifying week.
- The employee must have average weekly earnings in the calculation period (which is the eight weeks or two months before the end of the qualifying week) at or above the lower earnings limit for payment of National Insurance contributions. The lower earnings limit is reviewed in the April of each year. For rates and allowances, please visit; National Insurance contributions – GOV.UK (www.gov.uk)
- The employee must still be pregnant at the 11th week before the EWC or have had the baby by that time.

6.2.3.If an employee is not entitled to SMP then their employer should give them a SMP1 form so she can claim Maternity Allowance (MA). The address to send the form to, when completed will be on the SMP1.

6.3. For all categories of employees with **more than 1 calendar years' service** as at the 11th week before the EWC

6.3.1.For those employees with more than 1 years' service as at the 11th week before the EWC, in addition to the above maternity leave and pay entitlements there is an entitlement to receive contractual maternity pay in line with the conditions of service for either teaching staff or support staff.

6.4. A summary of the entitlements and obligations to maternity leave and pay for employees is set out in **Appendices 1 and 2.**

7.Administration of maternity leave

7.1. When the employee notifies the Principal/Line Manager that she is pregnant she should be given the appropriate maternity leave application form and summary of entitlements. **See Appendix 3 for Checklist for employees.**

- 7.2. Ormiston Academies Trust is advised to make it clear that it is the responsibility of the employee to notify the Trust by, at the latest, the 15th week before the EWC, of the intended date maternity leave is to commence. Should the employee decide she intends to commence maternity leave at an earlier date, she is required to give a minimum of 28 days' notice of the revised date. **See Appendix 4 and 5** for Application for Maternity Leave and Pay templates.
- 7.3. When the Principal/Line Manager has received formal confirmation of an employee's intention to take maternity leave, the completed maternity application form should be forwarded to payroll immediately to enable a response to be sent to the employee within the statutory required 28 days.
- 7.4. A certificate of pregnancy from a registered medical practitioner or midwife (MATB1) should also be provided to the employer/HR. The MATB1 is not issued until the 20th week before the EWC.
- 7.5. If the employee chooses to return before the end of the 52 weeks maternity leave period, she is required to give a minimum of 28 days' notice of the revised return date, in writing, to the Principal/Line Manager.
- 7.6. When the employee has informed the Academy/HO of the above, then the HR Adviser for the Academy/HO should be notified via the payroll portal in order that any maternity cover arrangements may be terminated and the employee's normal pay re-commenced as appropriate.

8. Pensions

- 8.1. Members of the Teachers' Pension Scheme (TPS) and Local Government Pension Scheme (LGPS) will pay contributions based on the actual maternity pay received during the first 39 weeks of the maternity pay period.
- 8.2. During unpaid maternity leave the employer shall not make any payments into the pension scheme and the employee will no longer continue paying contributions. Employees should seek further information from the relevant pension scheme in respect of their options to enhance contributions for the period of unpaid maternity leave.

9. Health and Safety

- 9.1. Pregnant employees must be given specific health and safety protection under UK Health and Safety Legislation.
- 9.2. Employers must assess all workplaces for risks to the health and safety of their employees and others affected by their work activities. In particular, they must consider if there are specific or enhanced risks for new and expectant mothers who are defined as "an employee who is pregnant, who has given birth or miscarried within the previous six months, or who is breast feeding". Such risks would include exposure to certain harmful substances or microbial agents/infectious diseases; extremes of heat and cold; noise; movement and posture; lifting/handling loads; and potential exposure to violence (including verbal abuse).
- 9.3. Once informed in writing of an employee's pregnancy, The Principal/Line Manager will arrange to carry out a risk assessment with the employee, normally within 10 days, but within a maximum of 28 days of

her having notified them of her pregnancy. This will generally be early in your 2nd trimester (around 3 months of pregnancy).

9.3.1. The risk assessment must be reviewed at least once before the start of the employees maternity leave, and as a minimum she should arrange to meet the Principal/Line Manager again at around 6 months of pregnancy to discuss any changes in her needs. Additional reviews may be needed depending on how she feels as her pregnancy progresses. A copy of the risk assessment should be held locally by the Principal/Line Manager for ongoing review during this period.

9.3.2. The form shown at Appendix 6 will be used, and the assessment will be undertaken in conjunction with the employer unless this is not possible. Control measures and adjustments to her working environment contained within the assessments must be implemented immediately, or within the timescales entered on the assessment

9.4. Where an unacceptable risk is identified the employer must take any protective or preventative measures required by other health and safety legislation to remove it. Where this would not prevent the employee from being at risk, a hierarchy of measures should be followed:

9.4.1. If it is reasonable to do so, working conditions or hours of work should be altered to avoid (or minimise) the risk;

9.4.2. If this is not possible, or the risk cannot be avoided by this, the employee should be offered suitable alternative employment on existing, or not substantially less favourable, terms and conditions;

9.4.3. In exceptional circumstances, if no suitable alternative work is available, the employee should be given leave of absence with full pay. If the employee refuses an offer of suitable alternative work, the leave may reasonably be unpaid, HR should be consulted before making a decision about unpaid leave.

10. Period of Protection

10.1. These provisions apply from the time the Trust receives written notification that the employee is pregnant until 6 months after the date of childbirth, or until the employee stops breast feeding if she continues to do so beyond this 6 month period. The paid leave of absence provisions will not apply during the maternity leave period. The employee will receive whatever maternity pay she is entitled to as normal.

11. Miscellaneous provisions

11.1. Ante-natal care

11.1.1. A pregnant employee has a right to reasonable paid time off to attend ante-natal care appointments. She should produce evidence of appointments if requested to do so by the Employer and follow the LOA process for requesting leave. In order to be entitled to take time off for antenatal care in advance of her MATB1 being issued, she may be asked to

produce a note from her doctor, registered midwife or registered health visitor, stating that she is pregnant.

11.2. Pregnancy-related illness

11.2.1. If a pregnant employee is absent from work due to a pregnancy-related illness in the 4 weeks before the EWC, then the period of maternity leave will commence automatically.

11.3. Premature Birth

11.3.1. Where a baby is born prematurely the employee should ensure that the Principal/Line Manager is informed. The period of maternity leave will commence automatically the day after the birth unless maternity leave had already commenced. Discretion should be used as to whether it is appropriate to extend the maternity leave period or take any other special action as necessary.

11.4. Death of a Baby and Still Birth

11.4.1. If the baby dies or is stillborn after 24 weeks' pregnancy, the employee will retain their entitlement to statutory maternity leave and pay, the Parental Bereavement Policy will also apply. Where this occurs before 24 weeks (miscarriage), consideration as to the circumstances should be made and, where necessary, special leave or sick leave should be granted. The decision should be made with consideration given to the needs of the employee and medical advice.

11.5. Dismissal Protection

11.5.1. The law protects an employee against dismissal when she is pregnant or during maternity leave regardless of hours worked or length of service. Only when a dismissal would have occurred, regardless of the fact that the employee is pregnant or on maternity leave, would a dismissal not be automatically unfair.

11.6. Performance Management and Pay Progression

11.6.1. The employees review should be undertaken prior to them going on maternity leave, any discussions around performance management/pay progression should take their maternity leave into account; objectives could/should be adjusted, and any pay progression should be awarded as if your absence did not take place.

11.6.2. It is not appropriate for your employer to use keep in touch (KIT) days for appraisal purposes.

12. Contact during maternity leave

12.1. Before the employees maternity leave starts, they will be encouraged to discuss their preferred arrangements for remaining in contact with the Principal/Line Manager during maternity leave. The Principal/Line Manager may reserve the right, in any event, to maintain reasonable contact with the employee from time to time during her leave, to see how she is and to provide any important updates at work she should be aware of. This may be to discuss her plans for return to work, to discuss any

arrangements to be made or training to be offered to ease the return to work, or simply to update her on developments at work during her absence.

12.2. Keeping in Touch Days

- 12.2.1. Employees may, by agreement with their employer, attend work for up to ten days' under their contract of employment during the maternity leave period. These days are known as "Keeping in Touch days" (KIT days). Such days are different to the reasonable contact that employers and employees may make with one another, as during KIT days employees can carry out work for the employer, for which they may be paid.
- 12.2.2. Any work done on any day during the maternity pay or maternity leave period will count as a whole KIT day, up to the 10 day maximum. In other words, if an employee comes in for a one-hour training session and does no other work that day, she will have used one of her KIT days.
- 12.2.3. The type of work that the employee undertakes on a KIT days is a matter for agreement between the two parties. They may be used for any activity which would ordinarily be classed as work under the woman's contract.
- 12.2.4. The employee may be paid for the work undertaken during KIT days without loss of SMP. The rate of pay is a matter for agreement with the employer. However, when determining the rate of pay for each KIT day, the employer must be mindful of equal pay considerations. Please contact your HR Advisor if you require further information.

12.3. Returning to Work

- 12.3.1. Employees should notify the Principal/Line Manager of the date they intend to return to work. Unless we are otherwise notified, the return to work date will be the first working day after the end of the 52 weeks maternity leave.
- 12.3.2. This date will be confirmed before commencing maternity leave. An Employee will not receive any further notification and it is expected that they will return to work on this date.

12.4. The Right to Return

- 12.4.1. After the period of ordinary leave, an Employee has the right to return to the same job on terms and conditions no less favorable than if she had not been absent.
- 12.4.2. After additional maternity leave, an Employee will have the right to return to the same job or, if not reasonably practical, an appropriate alternative job.
- 12.4.3. Exceptions may occur where there is for instance, a redundancy or at the end of a fixed term or temporary contract. In these circumstances appropriate consultation will take place with the employee and they will be offered suitable alternative work, where available.

12.5. Returning to Work Early

- 12.5.1. If an Employee wishes to return to work early or change the previously notified date of return – she must give at least 28 days' notice of this alternative date.

12.5.2. Should an Employee fail to give the required notice, the Principal/Line Manager may postpone the date of return until the required notice has been served. However, the notice period cannot extend the period of leave beyond the original maximum duration of the maternity leave.

12.5.3. An Employee may return to work during the Trust closure period – subject to giving the required notice.

12.6. Arrangements on return to work

12.7. Facilities for breastfeeding and for expressing /storing milk at the Trust.

12.7.1. If an employee is planning on breastfeeding or expressing/storing milk at the Academy/HO upon their return to work they should arrange to discuss the provisions with the Principal/Line Manager prior to returning. A risk assessment will be completed to consider whether there are any specific risks to the employee as long as she is breast feeding, and if she works with dangerous substances such as organic mercury. Provisions will be provided in line with the ACAS guidelines.

12.8. Rest Facilities

12.8.1. Rest facilities for new mothers will be sympathetically considered especially where an employee returns to work within the first 39 weeks after the birth of their child or is still breast feeding. In such cases employees should discuss with the Principal/Line Manager, prior to returning to work, any support needed.

13. Sickness

13.1. Where an employee is ill whilst on a period of maternity leave they will not be entitled to sick leave. Where an employee is unable to return to work due to illness, maternity leave is not extended but normal sickness procedures apply.

14. Annual leave

14.1. Teachers are entitled to a minimum of 28 days paid leave per year, the employees manager can direct this to be taken during school closure periods. Due to the number of school closure days in each academic year it is unlikely that there would not be sufficient time for these to be taken in the same/following academic year.

14.2. Full year Support Staff continue to accrue all their paid annual leave (including bank holidays where applicable) while on maternity leave. An employer must ensure that an employee is able to take all their annual leave which can be added to the end of their maternity leave or added to the next years entitlement.

14.3. Term Time Only Support Staff are paid holiday pay within their monthly wage, when they are on maternity leave any accrued holiday will be calculated and paid on a monthly basis.

15. Requests to change working hours

- 15.1. Employee may make a flexible working request to alter their pattern / hours of work at the point of return from maternity leave.
- 15.2. The Principal/Line manager will give careful consideration to any request. Should the request not be accommodated in the business reasons for this will be explained to the employee.
- 15.3. Please refer to the Trust's Flexible Working Policy and procedure for further details.

16. Leaving Employment

- 16.1. Should an Employee determine after careful consideration that they no longer wish to return to work following the end of maternity leave, she should formally resign in writing giving the required contractual notice.
- 16.2. Employment will terminate at the end of the period of contractual notice, or, at the end of the Statutory Maternity Pay period, whichever is later.
- 16.3. Should an Employee return to work and then decide to resign, they must give the appropriate contractual notice.
- 16.4. If an employee leaves employment before completing 13 weeks service upon return from maternity leave and has received payment of the 12 weeks half pay, they will be expected to repay the contractual element of any maternity pay.

Appendix 1

Support Staff Maternity Entitlements

What service do I have?	What options are available to me?	How much maternity leave am I entitled to?	What maternity pay am I entitled to?
Less than 26 weeks service , irrespective of hours worked, as at the 15 th week before the expected week of childbirth (EWC)	A I would like to return to work	Up to 52 week's absence in total, starting no sooner than 11 weeks before the expected week of childbirth	Form SMP 1 should be provided from your payroll provider to be submitted to the Benefits Agency who will arrange for Statutory Maternity Allowance to be paid to you, subject to qualifying
	B I would like to resign	Not applicable	As above
26 weeks or more , irrespective of hours worked, as at the 15 th week before the expected week of childbirth and less than 1 years' service as at the 11 th week before the expected week of childbirth (EWC)	C I would like to return to work	Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	D I would like to keep my options open as I may choose to resign or to return to work	Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	E I would like to resign	Not applicable	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP

<p>At least 1 year's continuous service, irrespective of hours worked, as at the 11th week before the expected week of childbirth (EWC)</p>	<p>F I would like to return to work</p>	<p>Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth</p>	<p>6 weeks at 100% of contractual full pay followed by 12 weeks half pay. You must return to work for a minimum of 13 weeks otherwise the 12 weeks half pay must be repaid. Plus, depending on salary and average earnings: 33 weeks lower rate SMP to be paid alongside the 12 weeks at half pay</p>
	<p>G I would like to keep my options open as I may choose to resign or to return to work</p>	<p>Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth</p>	<p>Depending on salary and average earnings: 6 weeks at 100% of full pay followed by 33 weeks lower rate SMP and the remainder unpaid 12 weeks at half pay will only be paid if you return to work for a minimum of 13 weeks</p>
	<p>H I would like to resign</p>	<p>Not applicable</p>	<p>Depending on salary and average earnings: 6 weeks at 100% of full pay followed by 33 weeks lower rate SMP</p>

SMP - Service for SMP is continuous service with the current employer only and is only payable if employed during the 8-week period 15 weeks before the expected week of childbirth, subject to the qualifying period.

Appendix 2

Teacher Staff Maternity Entitlements

What service do I have?	What options are available to me?	How much maternity leave am I entitled to?	What maternity pay am I entitled to?
Less than 26 weeks service , irrespective of hours worked, as at the 15th week before the expected week of childbirth (EWC)	A I would like to return to work	Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth	Form SMP 1 should be provided from your payroll provider to be submitted to the Benefits Agency who will arrange for Statutory Maternity Allowance to be paid to you, subject to qualifying
	B I would like to resign	Not applicable	As above
26 weeks or more , irrespective of hours worked, as at the 15th week before the expected week of childbirth and less than 1 year's service as at the 11th week before the expected week of childbirth (EWC)	C I would like to return to work	Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	D I would like to keep my options open as I may choose to resign or to return to work	Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth	Depending on salary and average earnings: 6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP and the remainder unpaid
	E I would like to resign	Not applicable	Depending on salary and average earnings:

			6 weeks higher rate SMP at 90% of average earnings followed by 33 weeks lower rate SMP
At least 1 year's continuous service , irrespective of hours worked, as at the 11th week before the expected week of childbirth (EWC)	F I would like to return to work	Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth	4 weeks at full pay and 2 weeks at 90% of full pay followed by 12 weeks half pay. You must return to work for a minimum of 13 weeks otherwise the 12 weeks half pay must be repaid. Plus, depending on salary and average earnings: 33 weeks lower rate SMP to be paid alongside the 12 weeks at half pay
	G I would like to keep my options open as I may choose to resign or to return to work	Up to 52 weeks absence in total starting no sooner than 11 weeks before the expected week of childbirth	4 weeks at full pay and 2 weeks at 90% Plus depending on salary and average earnings: 33 weeks lower rate SMP and the remainder unpaid The 12 weeks at half pay will only be paid if you return to work for a minimum of 13 weeks
	H I would like to resign	Not applicable	4 weeks at full pay and 2 weeks at 90% Plus depending on salary and average earnings: 33 weeks lower rate SMP

SMP - Service for SMP is continuous service with the current employer only and is only payable if employed during the 8 week period 15 weeks before the expected week of childbirth, subject to the qualifying period.

Appendix 3

Checklist for Expectant Mothers

Step 1 Inform your employer that you are pregnant and of your Expected Date of Delivery (EDD) or Expected Week of Childbirth (EWC). Statutory provision requires this to be done by the 15th week before the EWC.

Step 2 Ensure a maternity risk assessment is completed by your employer in consultation with you, considering and incorporating any reasonable adjustments that may be necessary to keep you safe in your role.

Step 3 Attend antenatal appointments as advised by your midwife/GP/nurse/registered medical practitioner. Remember you have a statutory entitlement to paid time off for these, including antenatal classes if they are recommended by your midwife/GP/nurse/registered medical practitioner. As a minimum, your partner is entitled to unpaid time off to accompany you to two appointments, up to 6.5 hours each time.

Step 4 Obtain form MAT B1 from your midwife (after 20 weeks) and show it to your employer if they request it.

Step 5 Consider options for maternity leave.

Step 6 Inform your employer of your intended maternity leave start date. Your employer should assume that you will be taking 52 weeks. Complete necessary paperwork. Ensure you give the appropriate notice.

Step 7 Teachers - ensure any discussions around performance management/pay progression take your maternity leave into account; objectives could/should be adjusted, and any pay progression should be awarded as if your absence did not take place. It may be appropriate to complete your review prior to you going on maternity leave, but it is not appropriate for your employer to use keep in touch (KIT) days for appraisal purposes.

Step 8 Agree what contact there will be between yourself and your employer while you are on maternity leave and consider use of KIT days. Your employer should maintain reasonable contact with you while you are on maternity leave and ensure you are kept informed of any changes, including any promotion/job opportunities/reorganisations.

Step 9 Start your maternity leave

If your baby is born before you had intended to start your maternity leave, then your leave will automatically start from the day your baby is born.

If you are absent due to pregnancy-related illness during the four weeks before your EWC this will automatically trigger the start of your maternity leave.

Appendix 4

Support Staff Application for Maternity Leave and Pay

Please read the maternity policy and the table overleaf, then complete and return the form below to the Academy's office/HO during or before the 15th week before your expected week of childbirth.

Name:	
Payroll Number:	
Home Address:	
Trust Name:	

Maternity Options

Please tick one option below. Refer to table in appendix 1.

A	C	D	F	G
First date of maternity leave: I understand this date can be altered and I must give at least 28 days' notice of the revised date maternity leave is to commence.				

B	E	H

I do not intend to return to work and thereby wish to formally terminate my contract of employment effective from:

Date:

The end of my maternity pay period

I have read and understand the maternity policy, which I have retained.

Signed:		Date:	
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NB. If you wish to continue to pay pension contributions for any period of unpaid maternity leave, please contact your local authority's Pensions Section for further information.

Expected Week of Childbirth (EWC)

The MATB1 certificate is available from your midwife from the 20th week of pregnancy onwards (**please tick**).

I enclose my MATB1 certificate with this form.

I will forward my MATB1 certificate to the Trust as soon as possible and understand that I will not receive any maternity pay until I provide this.

Keeping in Touch Days

You are entitled to "keep in touch" with the workplace for up to a maximum of 10 days during your maternity leave without affecting your entitlement to statutory or contractual maternity pay. The exact arrangements for "keeping in touch" must be discussed with your Principal/Line Manager.

I wish to discuss with my Principal/Line Manager arrangements for "keeping in touch" days.

I do not wish to discuss arrangements for "keeping in touch" days but reserve the right to discuss this with my Principal/Line Manager at a later date during my maternity leave.

Authorising Signature

I confirm that an assessment to identify hazards that could be a risk to any new, expectant, or breastfeeding mothers has been or will be undertaken and I have discussed "keeping in touch" days with the employee if requested.

I certify that I have seen the original MATB1 certificate

Signed:		Date:	
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Please return this completed form to EPM as soon as possible to enable a response to be provided to the employee within 28 days of this form being returned to the Academy's office/HO.

Appendix 5

Teacher application Form for Maternity Leave and Pay

Please read the maternity policy and the table overleaf, then complete and return the form below to the Academy's office/HO during or before the 15th week before your expected week of childbirth.

Name:	
Payroll Number:	
Home Address:	
Trust Name:	

Maternity Options

Please tick one option below. Refer to table in appendix 2.

A	C	D	F	G
First date of maternity leave: I understand this date can be altered and I must give at least 28 days' notice of the revised date maternity leave is to commence.				

B	E	H

I do not intend to return to work and thereby wish to formally terminate my contract of employment effective from:

Date:

The end of my maternity pay period

I have read and understand the maternity policy, which I have retained.

Signed:		Date:	
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NB. If you are intending to take a period of unpaid absence during your maternity leave you should be aware that you will not pay contributions during this period. You are advised to contact Teachers Pensions to seek advice on the effect that a period of unpaid maternity leave will have as well as any options available to enhance your pension: www.teacherspensions.co.uk

Expected Week of Childbirth (EWC)

The MATB1 certificate is available from your midwife from the 20th week of pregnancy onwards (**please tick**)

I enclose my MATB1 certificate with this form.

I will forward my MATB1 certificate to the Trust as soon as possible and understand that I will not receive any maternity pay until I provide this.

Keeping in Touch Days

You are entitled to “keep in touch” with the workplace for up to a maximum of 10 days during your maternity leave without affecting your entitlement to statutory or contractual maternity pay. The exact arrangements for “keeping in touch” must be discussed with your Principal/Line Manager.

I wish to discuss with my Principal/Line Manager arrangements for “keeping in touch” days.

I do not wish to discuss arrangements for “keeping in touch” days but reserve the right to discuss this with my Principal/Line Manager at a later date during my maternity leave.

Authorising Signature

I confirm that an assessment to identify hazards that could be a risk to any new, expectant, or breastfeeding mothers has been or will be undertaken and I have discussed “keeping in touch” days with the employee if requested.

I certify that I have seen the original MATB1 certificate

Signed:		Date:	
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Hazards	Who can be harmed	Existing Controls and Working Practices	Estimated Risk following controls (S x L = Total)			Additional Control Measures	Actions (Who, Due Date)
			Severity	Likelihood	Total		

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			Severity	Likelihood	Total		

Acknowledgements & Signatures			
Risk Assessor: By signing this risk assessment, I acknowledge my responsibility as the Risk Assessor for conducting this risk assessment.		Management: By signing this risk assessment, I acknowledge my responsibility as the department management for reviewing and approving this risk assessment and communicating controls and any improvements to staff.	
Risk Assessor Name and Signature:	Date:	Manager Name and Signature:	Date:
Review date:			

Guidance		
<u>Severity</u> of Harm from this Hazard		
Total Estimated Risk = Severity x Likelihood		
Hazards with significance factors equal to or greater than 16 or a Severity Rating of 4 or 5 warrants the use of additional controls and an action plan that has been reviewed		
Score	Severity / Consequence	Effects
1	NEGLIGIBLE	Negligible injury or health implications with no treatment or first-aid only. .
2	MINOR	No-Lost Time Injury(ies) and no chronic effects, but treatment beyond first aid may be required.
3	MODERATE	Person suffering Lost Time Injury, RIDDOR, hospital treatment or job restriction/business affected by outbreak
4	SERIOUS	Illness resulting in time off work long term/ill health
5	MAJOR	Fatality
<u>Likelihood</u> of Potential Exposure to this Hazard		
Score	Definition	
1	Little or no chance of occurrence; would require an extraordinary combination of factors for the situation to result.	

2	Not likely to occur in normal circumstances
3	Possible when additional factors are present but otherwise unlikely to occur.
4	Such an event is known to have occurred and is likely to re occur.
5	Almost inevitable that an incident would result / occurs frequently

Risk Rating		Severity / Consequence				
		1. Negligible	2. Minor	3. moderate	4. Serious	5. Major
Likelihood	1. Very unlikely	1	2	3	4	5
	2. Unlikely	2	4	6	8	10
	3. Possible	3	6	9	12	15
	4. Likely	4	8	12	16	20
	5. Probable	5	10	15	20	25

Rating Bandings		
Low risk (1-6)	Medium Risk (8-12)	High Risk (15-25)
Continue, but review periodically to ensure controls remain effective	Continue, but implement additional reasonably practicable controls where possible and monitor regularly	STOP THE ACTIVITY- Identify new controls. Activity must not proceed until risks are reduced to a low or medium level

Examples of Risk to Consider when Completing the Risk Assessment

Physical Job Demands

Does the Work Involve:

- Lifting or Pushing Heavy Objects
- Standing or Squatting for long periods of time
- A lot of Walking
- Working at a height
- Shift Work e.g does it involve working at night or into the night
- Will any tasks become more hazardous to the worker's changing shape or size
- Access areas with Limited space e.g. Store Rooms
- Climbing Steep Steps

Mental Job Demands

Does the Work Involve:

- Meeting Challenging Deadlines
- Rapidly changing priorities and demands
- High degree of concentration

Working Conditions

Does the Work Involve:

- Lone working or remote locations
- Home Working
- Easy access to toilet facilities
- Toilet breaks when necessary
- Rest Breaks when needed
- Control pace of workload

- Risks of Violence at Work
- Fatigue
- Occupational stress
- Dealing with members of the Public e.g distressed or disturbed people.
- Obstacles in corridors or offices
- Easy access for fire activation
- Air pollution e.g. diesel fumes
- Reasonable Working temperature
- Working space including adjustable seat

Specific Hazards

Does the Work Involve:

- Use of Chemicals, paint, toxins or mutagens
- Exposure to vibration e.g. Hand tools etc
- Ionizing Radiation
- Personal Protective Clothing to be worn

Appendix 7

Statutory guidance

GOV.UK Maternity Pay and Leave www.gov.uk/maternity-pay-leave

GOV.UK Maternity Pay and Leave: employer guide www.gov.uk/employers-maternity-pay-leave

GOV.UK Adoption Leave and Pay www.gov.uk/adoption-pay-leave

Conditions of Service for Teachers in England and Wales (Burgundy Book)

<https://tinyurl.com/y376xjdw>

NJC National Agreement on Pay and Conditions of Service (Green Book)

www.local.gov.uk/local-government-terms-and-conditions-green-book

DfE Equalities considerations as part of the appraisal and pay determination process

<https://tinyurl.com/tq4yo7r>

HSE New and Expectant Mothers www.hse.gov.uk/mothers/law.htm

Non-statutory guidance

ACAS Maternity Rights www.acas.org.uk/index.aspx?articleid=1753

National Childbirth Trust (NCT) Advice on breastfeeding and returning to work

www.nct.org.uk/life-parent/work-and-childcare/returning-work/breastfeeding-and-returning-work

Maternity Action <https://maternityaction.org.uk/>