



Support Staff - Maternity Leave and Pay Policy for Schools and Academies

Effective from September 2016

1. Policy statement

This policy aims to support mothers in respect of employment matters relating to pregnancy and childbirth. Supporting employees through maternity makes good business sense for the school by retaining valuable knowledge and skills and contributing towards equality of opportunity.

2. Scope of policy

The purpose of this policy is to provide guidance on the maternity provisions for schools-based support staff. The guidance is non contractual.

Where the Governing Body wishes to deviate from this proposed policy or adopt any other policy, it is the responsibility of the Governing Body to arrange consultation with appropriate representatives from recognised trade unions and professional associations.

3. Principles of policy

The principles of the policy:

- sharing the government's commitment that every child has the best start in life;
- complying with statutory requirements;
- creating choices for parents;
- retaining skills and knowledge within the workforce; and
- actively pursuing equality of opportunity.

4. Legal Background

Employees within schools have different entitlements to maternity leave and pay, depending on their length of service and national conditions of service which are underpinned by employment legislation. The law relating to this policy includes but is not limited to:

Work and Families Act 2006, Employment Rights Act 1996, Employment Relations Act 1999, Employment Act 2002, Maternity and Parental Leave etc Regulations 1999, Maternity and Parental Leave (Amendment) Regulations 2001, Maternity and Parental Leave (Amendment) Regulations 2002, Statutory Maternity Pay (General) (Amendment) Regulations 2005, Maternity and Parental Leave etc and the Paternity and Adoption Leave (Amendment) Regulations 2006, Statutory Maternity Pay, Social Security (Maternity Allowance) and Social Security (Overlapping Benefits) (Amendment) Regulations 2006, Maternity and Parental Leave etc and the Paternity and Adoption Leave (Amendment) Regulations 2008, Maternity and Parental Leave etc and the Paternity and Adoption Leave (Amendment) Regulations 2006; Equality Act 2010; Shared Parental Leave Regulations 2014; Children and Families Act 2014; Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations 2014.

5. General Maternity Rights

There are a number of general maternity rights that apply to an employee once the school has been informed that she is pregnant, these are:

- To take reasonable paid time off during working hours to attend antenatal care. This may include any relaxation classes that the doctor, midwife or health visitor has advised the employee to attend. An employee must not be unreasonably refused time off but after the first appointment may be required to produce evidence of appointments, such as a certificate from the doctor or midwife or an appointment card. As much notice as possible of appointments should be given.
- Not to be dismissed for reasons connected to the pregnancy.
- To return to the same job on the same terms and conditions at the end of Ordinary Maternity Leave (OML). If, during maternity leave, the job is made redundant, the employee will be eligible for redeployment to a suitable alternative vacancy where one exists.
- To health and safety protection for the employee and her unborn child
- An employee who returns to work during or at the end of Additional Maternity Leave (AML) is entitled to return to the same job on the same terms and conditions of employment as if she had not been absent. However, if it is not reasonably practicable for the employee to return to her old job, she will be offered a job that is appropriate for her to do and on terms and conditions that are no less favourable than those of her original job.

An employee is still eligible for the full maternity provision if, after 24 weeks of pregnancy the baby is miscarried or stillborn. If the baby is born alive at any point in the pregnancy but does not survive the employee is also entitled to the full maternity provision.

6. Maternity Leave

Provided that the employee complies with notification procedures she is entitled to 26 weeks ordinary maternity leave and a further 26 weeks additional maternity leave (52 weeks in total) regardless of service or hours worked. Additional maternity leave will start on the day after ordinary maternity leave ends. It is up to the employee to decide how much of her maternity leave entitlement she wants to take. The minimum amount is two weeks compulsory maternity leave immediately after the birth.

Maternity leave can start on any day from the beginning of the 11th week before the expected week of childbirth. The expected week of childbirth is the week, starting on a Sunday, in which the doctor or midwife expects the employee to give birth. If maternity leave has not already started and the child is born, it will automatically start on the day following the birth of the child. If the employee has a period of absence (whether wholly or partly due to pregnancy) from the beginning of the 4th week before the expected week of childbirth (EWC) her maternity leave will be triggered.

7. Notification requirements

Where LGSS is the Payroll provider, we request that copies of all notifications are also made to the Payroll Team to ensure that key dates are not overlooked. Payroll and HR Transactions – LGSS, Northamptonshire County Council, PO Box 179, John Dryden House, 8-10 The Lakes, Northampton, NN4 7DA.

The employee should inform the Head Teacher as soon as possible that she is pregnant. This is important as there may be health and safety considerations. Early notification of the pregnancy will allow a health and safety risk assessment to be carried out at the earliest possible opportunity.

At least 15 weeks before the estimated week of childbirth, the employee should notify the Head Teacher that she is pregnant and intends to take maternity leave. Appropriate considerations for the employee and the baby can then be taken.

Before the baby is born

Notify the Head Teacher of the pregnancy and maternity leave dates by providing 21 days notice telling them:

- that you are pregnant;
- of the expected date of the baby's birth; and
- of the intended start date of maternity leave (this cannot be earlier than the 11th week before the EWC and will always be on a Sunday and subject to the events which may trigger the start of maternity leave outlined above).

Provide a certificate (Form MAT B1) from the doctor or midwife that confirms when the baby is due. This is not usually issued before the end of the 20th week of pregnancy. The form Mat B1 should be sent to the Head Teacher along with a completed Notification of Maternity Leave Form (Appendix 1). If the employee does not qualify for SMP the MAT B1 will be returned.

On receipt of the completed Notification of Maternity Leave Form, the school's payroll provider will write to the employee, within 28 days, stating when the employee is expected to return from maternity leave.

The employee must notify the Head Teacher if childbirth occurs early. Similarly, if the employee is absent with a maternity related illness in the four weeks prior to the EWC the employee must inform the Head Teacher that the absence is maternity related. Maternity Leave will be triggered and will start on the following day if this absence is before the notified date of starting maternity leave.

If the employee decides not to return to work, this must be put in writing to the Head Teacher. However, the employee may wish to wait until the baby is born before making a decision.

After the baby is born

If the employee has notified the Head Teacher that she is returning to work and is then unable to do so because of sickness, the employee will need to produce a medical certificate and the Sick Pay Scheme will apply. If the employee is unable to return for other reasons, this should be discussed with the Head Teacher.

Unless the employee has advised otherwise, it will be assumed that she will return to work at the end of the additional maternity leave, i.e. 52 weeks. If the employee wishes to return before the end of the maternity leave period, the employee must give at least 21 days' notice. This must be put in writing to the Head Teacher.

The employee has the right to vary the return date, provided this date falls within the 52-week maternity leave entitlement. The employee will need to give 21 days notice to vary this date if she wishes to return later than the original date, and must give notice of the new return date 21 days before the original return date. This request must be put in writing to the Head Teacher. The Head

Teacher will respond in writing to any written request to agree a return date and notify the payroll provider accordingly.

If the employee wants to end her maternity leave in order for her or her partner to take Shared Parental Leave (SPL), she must give at least 8 weeks notice. Please refer to the Shared Parental Leave Policy for more details.

If the employee decides that she does not wish to return to work after maternity leave she must give the contractual notice.

8. Shared Parental Leave

If the employee proposes to return to work, by giving the appropriate notice, she may be eligible to convert up to 50 weeks of her unused maternity leave entitlement to Shared Parental Leave (SPL). SPL can be taken by her or her partner (dependent upon eligibility). Please refer to the Shared Parental Leave Policy for more details.

9. Maternity Pay - General

Maternity Pay depends on the employee's length of continuous local government service/ service with the school at the 11th week before the EWC.

Less than one year's continuous service

If the employee has less than one year's continuous local government service or service with the school (where the Council is not the employer) at the 11th week before the EWC the employee may be entitled to statutory maternity pay, which is:

- 6 weeks at 9/10ths of a week's pay
- a further 33 weeks at Statutory Maternity Pay rate (or 9/10ths of a week's pay if this is less)

At least one year's continuous service

If the employee has at least one year's continuous local government service or service with the school at the 11th week before the EWC the employee may be entitled to the following:

Weeks 1-6

- 9/10ths of a week's pay (offset against payments made by way of Statutory Maternity Pay or Maternity Allowance)

Weeks 7-18

- if the employee has declared in writing that they *intend to return to work* the employee may receive SMP (or MA) plus occupational maternity pay which is equal to half pay. The employee cannot receive more than full pay, therefore half pay plus SMP (or MA) will be adjusted if this comes to more than full pay. This is paid on the understanding that the employee will return to the school for at least three months (if the employee returns on contract for fewer hours, she will be required to return for a period that equates to 13 weeks of service under her previous contract). If the employee does not return for three months they may be required to pay back occupational maternity pay. This may be waived if there are exceptional reasons.
- If the employee has indicated that she does *not intend to return* payment will be the SMP rate, if applicable.

- If the employee is *not sure whether she wishes to return*, SMP rate will be paid. Occupational maternity pay will be paid if the employee subsequently confirms in writing the intention to return.

Weeks 19 –39

SMP entitlement Please visit www.gov.uk for the current rate.

To qualify for SMP the employee will need to meet the relevant criteria (see section 10).

If the employee is not entitled to SMP she will be given a form SMP1 so that she can claim Maternity Allowance (MA) from the Department for Work and Pensions (DWP). The employee must still provide the MAT B1 Certificate (from the doctor or midwife) for the Payroll Section. Payroll will then issue an 'SMP1' form so that a claim for maternity allowance can be made to the DWP. There are time limits to apply for this allowance, so the employee should submit the MAT B1 Certificate as soon as it is received to check the eligibility for SMP.

10. Statutory Maternity Pay (SMP)

General

If the employee meets the criteria, statutory maternity pay (SMP) is paid for a maximum of 39 weeks, starting no earlier than the 11th week before the baby is due.

SMP can begin on the day of the week specified in the notification letter, provided the employee starts leave on this day. If the baby is born before the leave starts, maternity pay will start on the day following the birth.

If the employee is absent due to pregnancy after the fourth week before the expected week of childbirth, SMP will begin on the following day.

Qualifying for SMP

To qualify for SMP the employee must:

- have 26 weeks continuous service with the School or Council at the 15th week before the baby is due. This week is called the qualifying week.
- in the 8 weeks ending with the 15th week before the EWC, have average weekly earnings of not less than the national insurance lower earnings limit.
- provide a certificate (Form MATB1) from the doctor or midwife stating when the baby is due. This is not usually issued before the end of the 20th week of the pregnancy.
- still be pregnant at the 11th week before the baby is due or have given birth.
- have given the Head Teacher notice of the maternity leave in writing.
- have stopped work, and started maternity leave before any payment can be made.

Rates of SMP

The higher rate which is payable for the first 6 weeks of leave is calculated as 9/10ths of salary. This is based on the average salary received in the 8 weeks before the qualifying week (see above).

A further 33 weeks at lower rate SMP.

Circumstances which may impact on an entitlement to SMP

An entitlement to SMP will be affected if:

- the employee starts work for another employer after she has had the baby but before the entitlement to SMP ends;
or
- the employee is in legal custody during any of the period for which she is entitled to SMP.

The employee must notify the Head Teacher in the case of either.

11. Keeping in Touch Days (KIT)

Employees are not obliged to do any work during maternity leave, but may agree to work up to 10 days without bringing maternity leave to an end. These days are called “keeping in touch (KIT) days” and are to be used to help the employee back into the working environment and provide an opportunity to familiarise themselves with any changes. KIT days are not limited to the normal day to day work arrangements and could, for example, be used to attend a conference, undertake training or attend a team meeting.

The Head Teacher and the employee must agree the working arrangements. Where possible these should reflect the employee’s normal contract of employment e.g. if the employee work part time and normally work 3 hours per day – the working hours on a KIT day should be 3 hours.

Any hours worked on a KIT day will count as one whole day against the 10 kit days but not for payment purposes. For example, if the employee normally works full time and attends work for part of a day (e.g. 3 hours) this will count as one KIT day, and she will be paid for the 3 hours – see below.

The employee and the Head Teacher should also agree what work that will be carried out, for how long and on what days. KIT days are to be mutually agreed; employees are not required to undertake work and cannot insist that work is made available.

The Head Teacher is responsible for monitoring the number of KIT days worked to ensure they do not exceed 10. It is also the Head Teacher’s responsibility to ensure that no work is undertaken during the first 2 weeks following childbirth. The Head Teacher will confirm the agreed arrangements in writing.

Payment for KIT days

Where the employee uses a KIT day to attend a meeting, training session or carry out work, she will be paid for the actual hours worked at the normal contractual rate of pay on the KIT day.

The Employee will receive Statutory Maternity Pay (if due) at the appropriate rate as usual and any payment at the normal contractual rate of pay for hours worked on a KIT day will be paid in addition to the Statutory Maternity Pay.

If an Employee is receiving Occupational Maternity Pay then payment for hours worked on a KIT day will be offset against her Occupational Maternity Pay.

Please refer to the model letter at Appendix 5

12. Reasonable Contact

The Head Teacher is permitted to maintain reasonable contact with the employee during the maternity leave without bringing it to an end. Examples could include making the employee aware of any changes at work or discussing the arrangements for the return to work, keeping in touch days and keeping her informed of any training opportunities.

It is good practice for the Head Teacher and the employee to agree how the contact will take place before the period of maternity leave begins. Head Teachers can obtain advice about reasonable contact from an HR Advisor.

13. Sickness absence

Pregnancy itself is not regarded as an illness but if the employee suffers complications associated with the pregnancy, and is not fit to work because of this, the employee may be entitled to receive sick pay under the normal sick pay arrangements.

If the employee is on sick leave wholly or partly because of the pregnancy and there are fewer than four weeks before the baby is due, this will automatically trigger the transfer to maternity leave. If the illness is unconnected with the pregnancy, normal sick pay arrangements will apply.

If, due to sickness, the employee is unable to return to work on the appointed date, she will need to produce a medical certificate.

14. Health and safety

The employee should inform the Head Teacher in writing that she is pregnant as soon as possible so that any hazards that may have the potential to cause problems during the pregnancy can be assessed at the earliest opportunity. If the employee has any concerns about health and safety or risks at work she must talk to the Head Teacher immediately. A risk assessment will be jointly undertaken and any appropriate protective and preventative action will be taken.

Matters to consider may include Display Screen Equipment, Lone Working, Manual Handling, Working Environment, Violence/Aggression, Breaks and Facilities, and Stress. A template risk assessment for new and expectant mothers can be found on the Health and Safety area of the Schools Extranet.

15. Paternity leave and maternity support leave

If the person who will be supporting the employee at or around the time of the birth is an employee of the Council or school they may be entitled to maternity support leave and/or paternity leave. Further information can be obtained by referring to the table at Appendix 8 and to the appropriate policy.

16. Annual leave and bank holidays

During maternity leave, the entitlement to annual leave accrues in the same way and at the same rate as if the employee were at work (this accrual is on a pro rata basis for part time staff).

Annual leave accrued up to the commencement of maternity leave should be taken before maternity leave starts. The employee will continue to accrue annual leave whilst on ordinary and additional maternity leave.

On return, any remaining annual leave should be taken during school closure periods before the end of the leave year. If this is not practical due to the timing of the return, it should be taken in the next leave year, outside of term time and by agreement with the Head Teacher

The employee will be given a substitute day of paid leave for any bank holidays that fall during the maternity leave period. This will be pro-rata for part-time employees.

17. Parental leave and time off for emergencies involving a dependant

If the employee has 1 year or more continuous local government service or service with the school and is the parent or guardian of a child, the employee may be entitled up to 18 weeks unpaid parental leave to care for the child. This can be taken up to the child's 18th birthday. The leave is limited to 4 weeks in any one year.

The right to parental leave applies to each child for which the employee has responsibility. In addition, the employee is entitled to take reasonable time off work to deal with an emergency involving a dependent. Please refer to the Parental Leave Policy and/or Special Leave Policy for further information.

18. Local Government Pension Scheme

If the employee is a member of the Local Government Pension Scheme, she will continue to pay contributions during the period of **paid** maternity leave (i.e. up to 39 weeks), whether this is 9/10^{ths} pay, half pay or statutory maternity pay. These contributions will be based on any pensionable pay she actually receives, but will allow service to be treated as if she was working normally.

For periods of authorised **unpaid** maternity leave (i.e. immediately following paid maternity leave) employees will have the opportunity to buy-back any or all the "lost" pension by paying an age-related Additional Pension Contribution (APC). Provided she makes an application to make the arrangements within 30 days of the day she returns to work, the employee shall pay 1/3rd of the cost and the School 2/3rds. The amount of lost pension will be calculated as 1/49th of the assumed pensionable pay for employees in the main section of the LGPS scheme and as 1/98th for employees in the 50/50 section. If an employee is in the 50/50 section of the scheme, in these circumstances they can still commence an APC.

Further advice on pension contributions is available from LGSS Pensions.

19. Contractual benefits during maternity leave

An employee is entitled to benefit from all her contractual terms and conditions throughout her entire maternity leave period; i.e. OML and AML, except wages or salary (other than where a pay increase necessitates the recalculation of SMP).

If the employee received relocation expenses when she joined the school and decides not to return to work following maternity leave, the employee should discuss any repayment arrangements with the Head Teacher.

If the employee has a salary sacrifice arrangement with Northamptonshire County Council, the options for provision must be discussed with the LGSS Payroll Team before going on maternity leave.

20. Flexible working

The employee may be eligible to apply to work flexibly. This could include a request to change the hours that the employee works, change the times that the employee is required to work or to work from home (where appropriate). The school has a procedure that the employee can use to apply for flexible working. This does not provide an automatic entitlement to work flexibly but provides a procedure that the employee and the Head Teacher can use to discuss whether flexible working is an option. Please contact the Head Teacher for more information.

21. Future continuity of employment

If the employee does not intend to return to work, the normal rules for terminating employment will apply and the employee must give the contractual notice.

22. Redundancy and Maternity Leave

In accordance with the Employment Rights Act 1996, Maternity and Parental Leave etc Regulations 1999 (SI 1999/3312) and the Equality Act 2010, when carrying out a redundancy exercise particular care is needed when dealing with employees who are on maternity leave. Such employees are afforded special protection; therefore incorrect management of the redundancy process may result in potential claims of unfair dismissal and/or pregnancy and maternity discrimination if the employee is treated unfavourably or less favourably.

It will be deemed automatically unfair if the School/Council selects a woman for redundancy for reasons connected to pregnancy, childbirth or maternity. Furthermore, in such circumstances, an employee is not required to have the usual one year of qualifying service to bring a complaint of unfair dismissal. A dismissal on such grounds will also amount to an act of unlawful discrimination under the Equality Act 2010.

Provided that there is a genuine redundancy situation and a fair procedure has been carried out, an employee can be included in the selection pool for redundancy irrespective of the fact that they are on maternity leave.

The School/Council has a duty to take reasonable steps to identify suitable alternative employment for employees in this group who would otherwise be dismissed by reason of redundancy; this includes identifying vacancies within the School or with any associated organisation. The duty to offer suitable alternative employment continues throughout the employee's notice period until the date of termination.

"Suitable alternative employment" in this context means work that is suitable in relation to the employee and appropriate for her to do, taking into account her level of seniority and skills, and one in which her terms and conditions of employment will not be substantially less favourable than those of her original position. A failure to offer a suitable alternative position where one is available would be likely to make an otherwise fair dismissal unfair.

If at any time during maternity leave an employee's position becomes redundant, the Maternity and Parental Leave etc Regulations 1999 place an obligation on the School to offer any suitable alternative vacancy that exists. This duty is absolute. This means that any available job must be offered to an employee on maternity leave in preference to another employee who is not on

maternity leave but whose job is also redundant. This is the case even if the other employee is better qualified for the position. A failure to offer an available suitable vacancy to an employee on maternity leave will make the employee's dismissal by reason of redundancy automatically unfair.

The alternative job must be offered to the employee before her existing contract comes to an end, and the new contract must take effect immediately afterwards. The fact that the employee is not ready to return to work at the time her job is made redundant, must be disregarded when considering whether or not to offer her an alternative position. In other words, the employee's absence on maternity leave must not be used as a factor in the determination of whether or not the alternative job is suitable and, if it is suitable, she must be offered it irrespective of the timing of her availability to take up the position.

An employee on maternity leave retains all her statutory rights in respect of redundancy, including the right to a notice period in accordance with statute and her contract of employment.

Once an employee has qualified for statutory maternity pay, she will be eligible to be paid for the full 39-week period even if she is made redundant during her maternity leave.

23. Monitoring and review

The school will monitor the application of this policy and has discretion to review it at any time subject to any relevant internal and external consultation as specified above.

Notification of maternity leave– Support Staff

Please send to the Head Teacher and the School's Payroll Team with the Mat B1

Surname:		Full Forenames:	
Home	Address:		
Postcode:		Start Date with NCC:	
Work Location:		Expected date of childbirth: (MAT B1 attached)	
Maternity leave starts from			
Pay Reference No:			
Maternity Option (please tick appropriate box)			
Option:	A <input type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>
	D <input type="checkbox"/>	E <input type="checkbox"/>	F <input type="checkbox"/>
<p>Please tick selected option here (details of each option can be found on the attached table).</p> <p>If you choose an option where you are entitled to receive Occupational Maternity Pay you should be aware that you must return to work at the school from which you have taken the maternity leave for a period of 3 months in order to retain this payment. If you reduce your hours when you return to work, you must work the equivalent of 3 months of the contracted hours at the commencement of the leave (e.g. an employee who worked 20 hrs and reduces to 10 hrs on her return will need to work for 26 weeks). Should you change your mind and decide not to return you will be required to repay the occupational element of pay.</p>			
Vacancies and training			
<p>During my maternity leave I would like to receive information on the following (please tick one or both boxes)</p>			
Job vacancies	<input type="checkbox"/>	Training opportunities	<input type="checkbox"/>
<p>During my maternity leave I would not like to receive any information on job vacancies or training opportunities</p>			
			<input type="checkbox"/>
Salary Sacrifice Schemes (Please complete if applicable)			
Child Care Vouchers:	<input type="checkbox"/>		
Signed:	Date:		

Draft Return Letter - Employee

Dear **Head Teacher**

Early Return to work following maternity leave

I am writing to make a request to bring forward my return to work from maternity leave, and would like to return on xxxx **(you must give a minimum of 21 days' notice)**

Please respond in writing to let me know if you agree this date. It would be useful to discuss the arrangements for my return to work and look forward to hearing from you.

Yours sincerely

Employee

Draft Return Change Letter - Employee

Dear **Head Teacher**

Varying the agreed date of return to work following maternity

As you are aware, my agreed return to work date following maternity leave is xxxxxx. However, I would like to change my date of return to xxxx **(you must give a minimum of 21 days' notice)**

Please respond in writing to let me know if you agree this date. It would be useful to discuss my return to work arrangements, so I look forward to hearing from you.

Yours sincerely

Employee

Local Government Pension Scheme - Maternity Leave Provisions

(Please complete and return this form to your payroll provider)

For employee completion

I can verify that the information below is accurate. I have read and understood the section titled 'Local Government Pension' in the Maternity Policy.

I wish to buy back any or all of the “lost” pension by paying an age related Additional Pension Contract (APC) for the unpaid period of my maternity leave. I understand that if I make an application within 30 days of returning to work, I shall pay 1/3rd of the cost.

At this stage I do NOT wish to buy back any or all of the “lost” pension by paying an age related Additional Pension Contract (APC) for the unpaid period of my maternity leave. I understand that if I wish to do so after 30 days of returning to work, I will be liable to pay the full cost.

Please send details about the amount of pension I have “lost” to the following address, so that I can complete the election form.

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Name:

Pay Ref No:

Job Title:

School:

Signed:

Date:

For payroll use

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Copy to LGSS Pensions

Signed:

Date:

Keeping in Touch Days standard letter

Dear

“Keeping in touch” arrangements

Following our recent discussions, I am pleased to confirm the working arrangements we agreed.

[Dates xxxx]

[Hours xxxx]

As you are aware, you are entitled to work up to 10 KIT days and therefore, this/these day(s) will form [x no. X] days of your ‘keeping in touch’ (KIT) days.

We agreed that you will undertake the following activities during the day/these days;

[Detail activities.....]

You will be paid for the actual hours worked at your normal contractual rate of pay on a KIT day. Your Statutory Maternity Pay will be paid in addition to any sums paid for a KIT day. However the payment you receive for your hours worked on a KIT day will be offset against your Occupational Maternity Pay if you are receiving this. I will make the necessary arrangements with payroll to ensure payment is made at the end of the month in which you work your KIT day..

In the meantime, please feel free to contact me if you have any concerns or would like to discuss this further.

I look forward to seeing you.

Yours sincerely

Head Teacher

Keeping in Touch Days (KIT) Record

This form is to be used by the Head Teacher to record the days and hours worked as “keeping in touch days” by employees on maternity leave. Please note that no work can be done during the first 2 weeks following childbirth.

Payment will be made for the **actual hours worked** at the normal contractual rate of pay on a KIT day.

The Head Teacher will need to sign this form and send a copy to payroll after each KIT day is worked. The original form should be kept safe by the Head Teacher as part of the employee’s personal file, as this may need to be referred to at a later date.

Please refer to the Maternity Leave and Pay Policy for more details.

Employee details (please print)

Surname:	Forenames(full):
School:	Department:
Cost centre code:	Payroll number:
Maternity leave start date:	Date baby born:
Name of Head Teacher:	

Keeping in touch days and hours worked

Keeping in touch days (date)	Hours worked	Approved Head Teacher’s signature	Date actioned (for Payroll use)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

KEY FACTS ABOUT PATERNITY AND OTHER LEAVE – BIRTH						
WHO	WHAT	WHEN	ELIGIBILITY	LENGTH	POLICY	NOTES
Person supporting mother or adopter is not father of child or partner/civil partner e.g. is a parent or friend	Maternity Support Leave	Around time of birth	Provision of expectant mother's MATB1.	5 days	Special Leave Policy	This leave cannot be taken in addition to paternity or parental leave.
Biological father of child or Mother's husband or partner/civil partner	Ordinary Paternity Leave	Within 8 weeks of the child being born.	<ul style="list-style-type: none"> • Must intend to support the mother or help care for the child. • Must have or expect to have responsibility for the upbringing of the child 	Up to two consecutive weeks	Paternity Leave Policy Policy also outlines eligibility criteria for occupational and/or statutory ordinary paternity pay.	Cannot be taken in individual days or blocks of two separate weeks
Mothers, fathers and partners of mothers	Shared Parental Leave	From after 2 compulsory weeks of maternity leave have been taken.	For employees to be eligible to take SPL, both parents must meet certain eligibility criteria. See the Shared Parental Leave Policy for full details.	Remainder of untaken 52 week maternity leave entitlement (maximum of 50 weeks)	Shared Parental Leave Policy	Important notification requirements apply. SPL must be taken in blocks of a week or more. SPL can be separated into a maximum of 3 separate blocks of leave.

This guidance must be used in conjunction with the appropriate policy

SERVICE (Support Staff)	OPTION	MATERNITY LEAVE	MATERNITY PAY
Less than 1 year's continuous service with NCC or associate employers as at the 11 th week before EWC and at least 26 week's continuous service with NCC as at the 15 th week before EWC.	A) Either returning to work, retaining the option to return to work or not returning at all.	26 weeks ordinary leave plus 26 weeks additional leave.	6 weeks Statutory Maternity Pay at 9/10 th 's of a average weekly earnings 33 week's at SMP (or 9/10 th 's of average weekly earnings if this is less)
Less than 1 year's continuous service with NCC or associate employers as at the 11 th week before EWC and less than 26 week's continuous service with NCC as at the 15 th week before EWC.	B) Either returning to work, retaining the option to return to work or not returning at all.	26 weeks ordinary leave plus 26 weeks additional leave.	Nil from your employer.
			See SMP1 Note below
At least 1 year's continuous service with NCC or associate employers as at the 11 th week before EWC and at least 26 week's continuous service with NCC as at the 15 th week before EWC.	C) Returning to work.	26 weeks ordinary leave plus 26 weeks additional leave.	6 weeks at 9/10 th 's of average weekly earnings OMP (offset against payments made by SMP) 12 weeks at half pay OMP plus 12 weeks SMP (these amounts cannot exceed full pay) 21 weeks at SMP 13 weeks no pay
At least 1 year's continuous service with NCC or associate employers as at the 11 th week before EWC but less than 26 week's continuous service with NCC as at the 15 th week before EWC.	D) Returning to work.	26 weeks ordinary leave plus 26 weeks additional leave.	6 weeks at 9/10 th 's of average weekly earnings OMP 12 weeks at half pay 34 weeks at no pay - See SMP1 note below
At least 1 year's continuous service with NCC or associate employers as at the 11 th week before EWC and at least 26 week's continuous service with NCC as at the 15 th week before EWC.	E) Retaining the option to return to work	26 weeks ordinary leave plus 26 weeks additional leave.	6 weeks at 9/10 th 's of average weekly earnings OMP (offset against payments made by SMP) 33 weeks at SMP (12 weeks at half pay OMP – payable only if you choose to return to work, SMP plus half pay cannot exceed full pay and may be offset if required). 13 weeks no pay
At least 1 year's continuous service with NCC or associate employers as at the 11 th week before EWC but less than 26 week's continuous service with NCC as at the 15 th week before EWC.	F) Retaining the option to return to work	26 weeks ordinary leave plus 26 weeks additional leave.	6 weeks at 9/10 th 's of a weeks pay (OMP) 12 weeks half pay (OMP). Payable only if you choose to return to work. 34 weeks no pay. You may be entitled to Maternity Allowance. See *SMP1 note below

SMP = Statutory Maternity Pay OMP = Occupational Maternity Pay

***Form SMP1** will be issued to you by your employer. You should take this form to the Job Centre Plus to see if you are eligible for Maternity Allowance. There are time limits to apply for Maternity Allowance, it is therefore important to submit your MAT B1 Certificate as soon as possible.