



Maternity
Booklet
(Non-
Teaching
Staff)

1 April

2019

Produced by the Personnel: Schools Team V2.1

www.sefton.gov.uk

School:

Cambridge Nursery School

**Signed by the Chair of
Governors:**

Signed by the Head teacher:

Date:

Index

	<u>Page</u>
Introduction	5
Definitions and Abbreviations	6-7
<u>Section A - Time Off for Ante-Natal Care</u>	8
Health and Safety	8
<u>Section B – Applying for Maternity Leave</u>	
Applying for Maternity Leave	9
Maternity Calendar	9
When can you start Maternity Leave?	10
<u>Section C - Maternity Pay</u>	
SMP - Eligibility and Rates	10
OMP - Eligibility and Rates	12
Link between SMP and OMP	12
Calculating Average Weekly Earnings	13
State Maternity Allowance	14
Premature/Multiple/Stillbirths	15
<u>Section D – Maternity Leave</u>	
Contact during your Maternity Leave	17
Working During your Maternity Leave (Keeping in Touch (KIT) days)	17
Annual Leave	19

Public Holidays	19
Union Membership	19
Local Government Pension Scheme	19
Personal Pension Scheme	20
Ordinary Paternity Leave/Pay	20
Shared Parental Leave/Pay	20
Nominated Carers	21

Section E - Return to Work

Returning to Work	22
Payment of Occupational Maternity Pay	22
Breastfeeding	23
Flexible Working Arrangements	23
Career Break Scheme	23
Parental Leave Policy	24

Section F - Childcare Provisions

Childcare Vouchers	25
Tax Free Childcare	27
Day Nurseries	27
Childminders	28
Relatives	28
General	29

Section G - Help and Advice after the Birth

Registering the Birth 30

Benefits 30

Section H - Questions and Answers 31

Annex A – Forms 34

INTRODUCTION

For most people, having a baby is one of the most important and positive experiences in their lives. With this in mind, this booklet is aimed at helping pregnant employees understand their entitlements to maternity provisions to ensure that this time is as worry free as possible.

Expectant 'mums' have some major decisions to make and you will need to be well informed to ensure that you receive all the benefits to which you are entitled and, that you are aware of all the options open to you.

Maternity procedures can be complicated as individual cases may differ depending on the circumstances. In producing this booklet we have tried to cover a variety of possible scenarios but it would be impossible to cover every eventuality. Therefore, if after reading this booklet you have any further queries or are not clear about any particular aspect and require clarification please do not hesitate to contact the Personnel Team - Schools who will be happy to assist you further.

We hope that you find this booklet useful.

DEFINITIONS AND ABBREVIATIONS

A variety of terms are used throughout this booklet. To make it easier to understand your entitlements you should first familiarise yourself with these terms:

M.P.P.

Maternity Pay Period - The period (up to 39 weeks) in which you can be paid Statutory Maternity Pay

E.W.C.

Expected Week of Childbirth The week in which your baby is due

Q.W.

Qualifying Week - The 15th week before the E.W.C. The qualifying week is established because by that time you must have at least 26 weeks' continuous service to qualify for statutory maternity pay

O.M.P.

Occupational Maternity Pay - In this case Sefton's Maternity Pay Scheme

A.W.E.

Average Weekly Earnings - The figure used to assess the amount of statutory maternity pay you will receive

L.E.L.

Lower Earnings Limit - You must earn above this limit to qualify for S.M.P. The lower earnings limit is reviewed in April each year. The Payroll Department will automatically notify you if you fall within this category and will forward the appropriate forms for

you to apply for State
Maternity Allowance

S.S.P.

Statutory Sick Pay

**Maternity
Certificate**

Usually known as Form
MATB1. This certificate is
issued by your Doctor or
Midwife showing the
expected date of your baby's
birth

O.M.L.

Ordinary Maternity Leave. The initial 26-
week period of maternity leave.

A.M.L

Additional Maternity Leave. Additional 26-
week period of maternity leave available to
all employees.

SECTION A

Time Off for Ante-Natal Care

Pregnant employees have a right to reasonable time off with pay for ante-natal care. This will be granted to all pregnant employees regardless of service or hours of work and includes appointments at hospitals, Doctors or ante-natal clinics.

However, employees have an obligation to minimise time off work and should arrange appointments outside working hours wherever possible. Where it is not possible to arrange appointments outside working hours paid time off is allowed for the appointment and for travelling time where appropriate.

You are not required to make up any working time lost due to ante-natal appointments.

You should provide written evidence of your medical appointments to your Head teacher in advance in order that any necessary arrangements can be made to cover your absence and also so that colleagues know where you are.

Time off for other forms of ante-natal care, e.g. relaxation classes etc. are not covered in this agreement as arrangements can usually be made outside of working hours. However if it can be evidenced that such care is being taken on medical advice, time off to attend may be granted.

From 1st October 2014, an expectant father or the partner of a pregnant woman is entitled to take unpaid time off work to accompany the woman to up to 2 of her ante-natal appointments. Employees accompanying the expectant mother are entitled to unpaid leave for 1 or 2 appointments. The time off is capped at six and a half hours for each appointment.

The employee does not need to provide evidence of the appointment however must submit a declaration stating the date and time of the appointment, that they qualify for the unpaid time off through the relationship with the mother/child and that the time off is for the purpose of attending the antenatal appointment.

Health and Safety

Employers are obliged to assess risks to all employees. In particular they must pay attention to employees who are pregnant and take any action necessary to ensure that the employee or their unborn child is not exposed to any significant risks.

Normal health and safety procedures should be sufficient to prevent or control risks to expectant mothers. However, if you feel that your work involves any task that may

involve significant risks to you or your baby you should raise the matter with your Head teacher. Alternative arrangements may need to be considered and implemented where, as the result of a risk assessment, there are genuine concerns. Further information is available at www.hse.gov.uk/mothers. If you do have any concerns further information can be obtained through your Health and Safety Advisor or by contacting the Health Unit on 0151 934 3650.

SECTION B

Applying for Maternity Leave

All employees are entitled to take both 6 months “ordinary” and six months’ additional maternity leave, providing a right to one year’s maternity leave in total.

This right applies to all female employees, regardless of their length of service.

Applying for Maternity Leave

You must inform your Head teacher and Payroll, **IN WRITING**, at least 28 days before you intend to stop work. The appropriate forms can be found at Appendix A.

If you are unsure whether or not you intend to return to work you can opt for your 12 weeks half pay entitlement to be suspended. It is better to change your mind during your leave and be paid the half pay on your return to work, rather than have to repay it.

You must also enclose your MATB1 Certificate which will be issued to you by your Doctor/Midwife approximately 14 weeks before the expected date of childbirth.

Upon receipt of your forms, Payroll will confirm to you the details relating to your maternity leave.

Maternity Calendar

Your pregnancy is measured in weeks, your Expected Week of Childbirth is Week 40. When calculating your entitlement to leave week 1 will always commence at the beginning of the **actual** week your baby is born.

The calendar (Shown on a separate spreadsheet) is represented in weeks before and after your EWC and can be used to chart some of the important dates of your pregnancy. It outlines the steps you need to take and when. You can also use this

calendar to record ante-natal and Doctors' appointments etc.

When Can You Start Your Maternity Leave?

To work out the **EARLIEST** date you can start maternity leave without losing your right to O.M.P:

1. Look on a calendar for the day your baby is due.
2. Count back 11 weeks from there. You cannot elect to start your maternity leave before this date (but see section regarding premature births).

SECTION C

Maternity Pay

Maternity Pay falls into two categories:

- Statutory Maternity Pay (SMP);
- and
- Occupational Maternity Pay (OMP).

To qualify for pay under the above Schemes you must satisfy certain criteria. Eligibility for both Schemes is detailed below.

Statutory Maternity Pay (SMP)

SMP is a scheme for most female employees to get a basic amount of maternity pay. Eligibility for SMP is assessed at the beginning of the 15th week before the Expected Week of Childbirth (EWC), i.e. the Qualifying Week (QW).

To qualify for SMP you must, at the beginning of the QW, fulfil the following conditions:

- ◆ have been employed continuously within the Authority for at least 26 weeks, continuing into the 15th week before the E.W.C;
- ◆ earn above the lower earnings limit for the payment of National Insurance Contributions;
- ◆ still be pregnant 15 weeks before your expected week of childbirth (unless you have given birth prematurely);

- ◆ the earliest date that maternity leave can start is 11 weeks before your E.W.C. or the date of birth (if baby is born premature)

In addition you must comply with certain rules on notification and medical evidence namely:

- ◆ you are required to provide notification of your intention to take maternity leave by the 15th week before your E.W.C. (unless this is not reasonably practicable);
- ◆ you need to provide notification of the week your baby is expected to be born (MATB1) and when you want to start your maternity leave. If you change your mind about when you want to commence your maternity leave you can do so providing you give at least 28 days notice in advance.

If you satisfy the criteria, you will be entitled to:

6 weeks at 90% of average weekly earnings

plus

a further 33 weeks at flat rate S.M.P. (£148.68 per week as at April 2019) or 90% of earnings if this is less than £148.68 per week).

S.M.P. is subject to P.A.Y.E. and N.I. contributions and Pension (where applicable) and is payable only for complete weeks. There is no daily rate.

To apply for SMP only (if you have less than a years service by the 11th week before the EWC and over 26 weeks service before the EWC) complete **Form B** in Appendix A.

Note:

- ⇒ If you return to work for the School during your M.P.P. you will be allowed to work up to a maximum of 10 days without losing S.M.P. These days are called Keeping in Touch Days (KIT). If you work for more than 10 days, you will lose one week SMP for each week or part week that you work.
- ⇒ If you leave the Authority for any reason after the 15th week before the E.W.C. you will still be entitled to receive S.M.P. as long as you do not start working for a new employer

S.M.P. cannot be paid for more than 39 weeks, but may be paid for a shorter period if you:

- (a) Return to work before the end of the maternity pay period; (N.B.: you are not allowed to return to work within 2 weeks of the date on which you give birth (Compulsory Leave Regulations 1994) and advance notice will be required if you intend to return to work before the end of the M.P.P.)
- (b) Are taken into legal custody.

Occupational Maternity Pay (OMP)

Sefton's Occupational Maternity Pay is a Local Government Scheme under which the Authority is responsible for making payments to female employees who have at least one year's continuous service.

Continuous service in this context is defined as all Local Government Service and other reckonable service (not just service within Sefton Authority) and is calculated up to the start of the 11th week prior to the expected week of childbirth.

To qualify for OMP you must:

- ◆ continue to work up to the 11th week prior to the week in which your baby is due;
- ◆ give at least 28 days notice of your intention to commence maternity leave.

If you are eligible for OMP you will receive:

Weeks 1-6	90% of a week's pay (offset against payments made by way of Statutory Maternity Payments or maternity allowances)
Weeks 7-18	Where you have declared in writing that you intend to return to work you will receive half pay <u>plus</u> Statutory Maternity Pay without deduction except to the extent that the half pay plus Statutory Maternity Pay, or other allowances, exceeds full pay. This is paid on the understanding that you will return to local authority employment for at least 3 months.
Weeks 19-39	For the remaining 21 weeks you will receive Statutory Maternity Pay entitlement i.e. £148.68 per week as at April 2019 or 90% of earnings if this is less than £148.68 per week.

Link Between SMP and OMP

Eligibility for SMP is dependent upon continuous service of at least 26 weeks with **one** employer (in this case Sefton Authority). In calculating eligibility for Sefton's Occupational Maternity Pay Scheme **all reckonable service** is taken into account, i.e. service with **other** local authorities, police, fire service, etc.

Consequently, employees may well satisfy the qualifying criteria for SMP as well as pay under Sefton's OMP Scheme. However, for the first six weeks of the maternity pay period you will **not** be entitled to receive both, you will, instead, be paid whichever is the greater (see below). Provided the criteria are satisfied, for the following 12 weeks of the maternity pay period you will be entitled to half pay from the OMP scheme **plus** the flat rate SMP, providing that the total of these two amounts does not exceed your normal basic weekly pay. For the following 21 weeks SMP is payable.

The first six weeks OMP is paid at 90% of your **basic weekly pay**.

The first six weeks SMP is 90% of your **average weekly earnings** and can, therefore, include payments such as overtime etc. In the majority of cases 90% of OMP and 90% of SMP will equate to the same amount. In certain circumstances, however, there may be a minimal difference because of differences between **basic** weekly pay and **average** weekly earnings.

For example:

Your basic weekly pay	=	£100, therefore OMP entitlement of 90% = £90;
Your average weekly earnings including some overtime received	=	£110, therefore SMP entitlement of 90% = £99

For the first six weeks of your maternity pay you would, therefore, receive £99 per week, the greater of the two amounts.

To apply for Occupational Maternity Pay and Statutory Maternity Pay complete **Form A** in Appendix A.

Calculating your Average Weekly Earnings (AWE)

Payroll will calculate your entitlement of 90% and half pay automatically based on your average weekly earnings for SMP or basic weekly earnings on OMP. However, if you wish to work out your average weekly earnings you can use the following

formula.

The calculation method varies depending upon whether you are paid weekly, monthly or irregularly.

Weekly Paid Staff

Add together your gross earnings in the 8 weeks up to and including the last pay day before the end of your qualifying week.

This figure will then be divided by 8 to give your average weekly earnings.

Monthly Paid Staff

Add together the payments made to you in the two normal pay days before the qualifying week, divide them by 2, multiply by 12 and then divide by 52 to give your average weekly earnings.

Irregularly Paid Staff

Add together your pay on your last pay day before the end of the QW and any payments received since (but not including) the last pay day falling eight weeks before that one. Your pay for this period is then averaged out, any odd days being counted as one seventh of a week.

Maternity Allowance

If you do not have 26 weeks' continuous employment but have been employed or self-employed in at least 26 weeks of the 66 weeks immediately preceding the E.W.C., you may be entitled to [Maternity Allowance](#) (MA). You must have average earnings of £30 or more per week. The MA rate is £148.68 per week (effective from April 2019) (or 90% of a woman's average weekly earnings if this is less than £148.68 a week) payable for 39 weeks. The latest you will be able to start getting MA will be the day after the baby is born.

To apply for Maternity Allowance complete **Form C** in Annex A. If you meet the criteria, Payroll will send you a claim form and form SMP1 to enable you to claim along with a letter explaining who to contact (DWP/ Payroll). Your claim to the DWP for MA will be decided on the work you have done in your Test Period (this is the 66 weeks before the week you expect to have your baby). When you complete your claim form, you will be required to provide original payslips for the 13 weeks in which you earned the most in your Test Period to the DWP along with your original MATB1 certificate.

If you are not entitled to either Statutory Maternity Pay or Occupational Maternity Pay you will be entitled to receive pay equivalent to the Ordinary Paternity Leave Scheme.

Details of this scheme are available on the schools intranet. You can apply for this payment also using **Form C** in Annex A.

You will not, however, be entitled to receive this payment in addition to any maternity allowance payable. Consequently, any payment made under the Ordinary Paternity Leave Scheme will be offset by any Maternity Allowance.

How entitlements can be affected by:

Pregnancy related sickness absence

The MPP will be triggered if you are sick with a pregnancy-related illness in the four weeks before the baby is due. Where the MPP is triggered by the start of the pregnancy-related illness the maternity pay can start on any day of the week.

Premature Births

If your baby is born prematurely, your SMP may or may not be affected, depending on how premature the birth is.

If your baby is born after your maternity pay period (MPP) has started, your SMP will not be affected. You will be paid in the same way as if the baby had been born when it was due.

If your baby is born before your MPP has started but after the qualifying week, you must, if reasonably practicable, inform Payroll of the birth within 3 weeks. You will then receive the SMP due to you but the pay period will now run for 39 weeks from the day following the date of birth.

If your baby is born before or during the qualifying week, you must, if reasonably practicable, inform Payroll of the birth within three weeks. The payment period will run from the day following the date of birth.

If your baby is born earlier than expected and before you have given the Authority notice that you intend to stop work to have a baby, you can still get the full 39 weeks SMP. The MPP will start the day following the date of birth. You must ask the Doctor or Midwife to write the expected date and the actual date of birth together on part B of the maternity certificate (Form MATB1).

Within three weeks of the start of the MPP, you must provide written evidence that you were away from work because of your baby's birth - the baby's birth certificate will suffice.

Twins or Multiple Births

If you are expecting more than one baby, your entitlement to SMP is exactly the same as if you were expecting only one.

Stillbirths

If your baby is stillborn earlier than the 24th week of your pregnancy, you won't be able to get any Maternity Pay, but you may be able to get Statutory Sick Pay.

If your baby is stillborn after the start of the 24th week of your pregnancy, you are entitled to the same SMP and OMP you would have received if your baby had been born alive.

Section D

Maternity Leave

Contact During Your Maternity Leave

Your Head teacher is entitled to make reasonable contact with you during your maternity leave (and vice-versa). He/she will contact you, for example, to discuss your plans for returning to work, or to keep you informed of important developments at the workplace, etc. You will also be informed of any relevant promotion opportunities, job vacancies and training opportunities that arise during your maternity leave.

Working During Your Maternity Leave (Keeping in Touch (KIT) days)

You can work during your maternity leave on a 'keeping-in-touch' (KIT) day without bringing your maternity leave to an end or losing your SMP. You can work for up to 10 KIT days during your maternity leave but you cannot work on such a day until at least two weeks after the birth of the child.

Working for part of a day will count as one day. If more than 10 days are worked you will lose your SMP for any week in which you do any further work. Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace. You and your Head teacher must agree that you will work on a KIT day.

Payment for Keeping In Touch Days

The employee is paid at their normal rate of pay for the hours/days worked as KIT days and this will be offset against their SMP. The hours worked should not exceed the employee's normal weekly contracted hours. The Head teacher is responsible for completing and certifying a form for payment of the hours/days worked.

- If you are receiving SMP and/or OMP your pay will be offset against any money you were due for the week. For example, if you were in a normal SMP week and earned £50.00 for a KIT day, you would retain your SMP, although the £50.00 earned will be offset against this, meaning you would receive the normal SMP amount for the week and no additional payment for the KIT day worked.

Note: that SMP/SAP/SPP/ShPP is a weekly benefit so the amount of SMP due for that week is used to offset against any contractual payment due for working

KIT day(s) in the same week. This can result in little or no additional pay for working a KIT day during any period of paid relevant child related leave.

- If you are in any **additional unpaid period** of child related leave, you will be paid for the hours you have worked at your normal rate of pay.

Examples

Scenario 1

If an employee earns £100 for a KIT day, she will be paid her full SMP for that week as the flat rate of SMP is more than £100. Her SMP will be offset against the £100 earned, meaning that she will be paid £148.68 for the week. They will not be paid £100 as well as the SMP for that week as their SMP has been offset against the contractual pay.

Scenario 2

If she earns £150 for the KIT day then her SMP for the week will be offset against this. Total pay for week would be £150, made up of £148.68 SMP and £1.32 in addition.

Scenario 3

If she works for three KIT days in the same week and earns £300 for the KIT days, she will be paid £300. Her SMP of £148.68 is offset against the contractual pay paid to her for the same week so she does not receive both. Total pay for this week would be £300, made up of £148.68 SMP and £151.32 in addition.

Scenario 4

If the KIT is taken when no SMP is being paid then in scenario 1 £100 would be paid for the day.

To claim for any KIT days worked, complete the claim form at Appendix B and send certified forms to the Payroll Department. Maternity leave will not be extended if you have carried out some work during this period.

Please contact the Personnel Team - Schools if you have any queries with regard to KIT.

Annual Leave

Both Ordinary and Additional maternity leave counts as service for the purposes of calculating annual leave entitlement. Where the period of maternity leave crosses two leave years all annual leave accrued for the first year should be taken before the start of the maternity leave as carry over of leave will only be allowed in exceptional circumstances.

If you take maternity leave, but subsequently decide not to return to work, the effective date of termination of employment will be the date of your letter of resignation. Annual leave will, therefore, be calculated pro rata to the number of completed month's service. If you have taken more annual leave than you are entitled to, on the assumption that you would subsequently be returning to work, you will be required to refund payment for the excess days taken. Alternatively, leave may be owing to you for which you will receive compensatory payment.

Union Membership

Union membership can be retained whilst on maternity leave. Should you wish to be considered for reduced subscriptions during your maternity leave period you should contact your local Union Branch direct.

Local Government Pension Scheme (LGPS)

During any period of paid relevant child related leave you will continue to pay pension contributions based on the pay you actually receive and will continue to build up a pension in the section of the LGPS you are in. The Council as your employer, continues to pay contributions based on your pay had you not been on child related leave i.e. based on your unreduced pay.

However any period of unpaid additional maternity will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs) to purchase the amount of pension 'lost' during that period of unpaid absence.

The amount of pension "lost" is calculated as the appropriate fraction of your lost pensionable pay for that period of absence (i.e. 1/49th of your lost pensionable pay if you were in the main section of the Scheme or 1/98th if you were in the 50/50 section. If you wish to purchase the amount of lost pension and make the election within 30 days of returning to work (or 30 days from the date the APC letter is issued by Payroll) then the cost of the APC is split between you and the Council. You will pay one-third of the cost and the Council will pay the rest. This is known as a Shared Cost Additional Pension Contract (SCAPC). You can pay these additional contributions in a one-off lump sum or by agreement through regular payments from your salary. The maximum period of absence you can elect to buy back by a SCAPC is a period of 3 years. If an election is made after the 30 day period the whole cost will fall to the employee.

If you have Keep in Touch (KIT) day(s) during a period of unpaid additional maternity you will build up a pension (based on the section of the scheme you are in) for the day(s) you are paid.

If you have an AVC contract for additional life assurance it is important that you continue with these deductions to ensure that your cover does not lapse. Deductions will continue as long as there is enough money to cover them. You must make arrangements to continue paying them when you are receiving no pay, you can contact Merseyside Pension Fund on 0151 2421390 who can advise you.

Personal Pension Scheme

If you have opted not to join the Local Government Scheme and you are paying into a Personal Pension Plan you should seek advice from the scheme provider about the implications of maternity leave on your pension entitlements.

Ordinary Paternity Leave

New fathers/partners/nominated carers are entitled to 2 weeks ordinary paternity leave (previously known as maternity support/paternity leave). The first week is paid at normal pay and a further week's leave is available paid at the Statutory Paternity Pay rate which is currently £148.68 per week (or normal pay if this is less than £148.68 per week). Further information is available on the schools intranet.

Shared Parental Leave/Pay

Shared Parental Leave (SPL) enables eligible parents to choose how to share the care of their child during the first year of birth. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child.

Eligible parents can take up to 50 weeks SPL on a continuous or discontinuous basis. They may also be eligible to Shared Parental Leave Pay. In order to take SPL the mother must curtail (cut short), or give notice to curtail, maternity leave.

Please note that a mother who takes the decision to curtail (or cut short) their maternity leave to take SPL will no longer be entitled to Occupational Maternity Pay, if still applicable, and will receive Statutory Shared Parental Pay. Please refer to the SPL policy on the schools intranet for further information and contact the Personnel Team - Schools if you are considering applying for this policy.

Nominated Carers

We recognise that situations may arise where a person other than the father acts as the mother's sole support at or around the time of the birth e.g. a close relative or friend. Employees in this situation can be regarded as "nominated carers" and are eligible for ordinary paternity leave. Nominated carers applying for leave will need to complete form OPL1 giving brief details of the particular circumstances.

SECTION E

Return to Work

Returning to Work

All employees regardless of hours of work or length of service have the right to return to work. In some instances e.g. because of redundancies or reorganisation, it may not be practical for you to return to your original job. However, in such cases a suitable alternative post will be offered if available. Suitable alternative employment is employment on terms and conditions which are not substantially less favourable than those previously held. Should this situation arise, considerable discussion will take place with you, your Head teacher and Human Resources to enable the return to work to progress as smoothly as possible.

The expectation is that you will take your full entitlement to maternity leave, i.e. 52 weeks. Therefore, if you return to work at the end of your maternity leave period you need give no prior notice of your return.

If you wish to return prior to the end of your full entitlement, i.e. 52 weeks or an agreed date, you must provide written notification of your proposed return date at least 21 days in advance of your return.

Failure to comply with the above advance notification period relative to an early return may lead to your return being postponed until sufficient notice has been given or until the maternity leave period has expired, whichever is earlier.

Should you fail to return to work having given an undertaking to do so, you will be regarded as having terminated your employment with effect from your due date of return, unless, prior to this date, you submit a medical certificate or details of other exceptional reasons acceptable to your School.

Payment of Occupational Maternity Pay

You must return to work for a period of at least three calendar months after the birth, in order to retain your entitlement to 12 weeks half pay (OMP).

If you are unsure as to whether you will be returning to work you should suspend any entitlement to 12 weeks half pay (OMP) until you return. This will then be payable in a lump sum.

If for any reason you fail to meet the requirement to return to work for three months but have, for example, returned for two months the refund to the Authority can be calculated on the basis of four week's half pay (rather than refunding the full 12 weeks half pay allowance received).

Breastfeeding

You may wish to continue breastfeeding when you return to work. You will be entitled to reasonable time off without loss of pay and benefits, to express milk or breastfeed at or near your place of work. You are required to give your Head teacher 28 days notice of your intention to breastfeed on your return to work. This will ensure that the necessary arrangements can be made to meet the request as well as the needs of the service. A risk assessment will also need to be carried out before you return to work.

Flexible Working Arrangements

If you decide to return to work after the birth of your child/children further consideration needs to be given to the practicalities of your working hours. Juggling the roles of parent and employee can be difficult and needs careful planning. Employees returning from maternity leave may benefit from flexible working arrangements and a variety of options are available.

If you think you may wish to reduce your hours on your return, either on a permanent basis or for a temporary specified period. You should inform your Head teacher at least three months before your anticipated date of return. NB. There is a presumption that any temporary arrangement will last no longer than 12 months.

All employees are entitled to request flexible working arrangements and a set procedure is in place to consider such requests. Specific reasons must be given for the rejection of any reasonable request. Further details are available in the Work Life Balance policy on the schools intranet.

Career Break Scheme

Employees who either need or wish to suspend their careers to concentrate on family responsibilities may wish to consider the Career Break Scheme.

The scheme is available to all permanent employees who have a minimum of two years continuous service and allows for an unpaid break in service of up to five years. Note, however, that you must resign your post to enter into a Career Break arrangement.

The School will make every effort to facilitate the individuals return to the workplace within the agreed timescale. Participants cannot be guaranteed re-employment to their previous

post but every effort will be made to assist the individual to return to an appropriate post. Participants will be considered for any vacancy they wish to apply for. As and when participants wish to return to work they should inform their Head teacher at least six months before their intended date of return.

If re-employment is secured the individuals previous service will count towards calculating annual leave entitlements and for sickness and maternity provisions, however previous service will not count for redundancy purposes. In order to be eligible for the Career Break Scheme employees must not enter into any other permanent paid contracted employment with any other employer.

It should be noted that this scheme is not an alternative to the three month return to work ruling for maternity pay purposes. Employees must return to work for three months in order to retain the entitlement to 12 weeks occupational maternity pay at the rate of 50% of basic weekly pay.

Parental Leave Policy

The key objective of this policy is to balance work and family life and to provide for employees to take time of work to care for a child.

The right to parental leave entitles all employees, who have completed one year's qualifying service, to take a period of unpaid leave to care for a child.

The entitlement is:

- 18 weeks parental leave for each child until the child's 18th birthday

(This is pro rata for part-timers).

The leave can be taken in one block or at specified periods in blocks of one week.

There are a number of conditions of the policy including specified notice periods, the right of School to postpone leave where the leave would adversely affect service provisions and application procedures.

Further details can be found in the Work Life Balance policy on the schools intranet or from your School.

SECTION F Childcare Provisions

Should you decide to return to work you will obviously wish to select the best and most appropriate care for your baby. There are a variety of options available and the advantages and disadvantages of each option should be carefully analysed before you make your decision.

Here are some of the options open to you.

Child Care Vouchers

The Council has selected [Fideliti Ltd](#) to provide a Childcare Voucher Scheme to employees of the Council.

Childcare Vouchers are **Non-Taxable and exempt from National Insurance**. Parents using Childcare Vouchers for childcare costs can purchase up to the value of £243 per month per parent. This means that potentially employees can save a **maximum of £933 per annum**. A significant benefit of the scheme is that the vouchers are not restricted to one parent alone that means double the savings. Higher rate tax payers are eligible to receive £28 per week in childcare vouchers which gives a maximum saving of £625 per annum.

Employees who are currently paying for childcare simply receive childcare vouchers as part of their salary in return for sacrificing part of your salary. Employees can sign up by contacting Fideliti Ltd on the number below.

The vouchers can be used to pay for most types of registered or approved childcare. The choice of childcare remains with the employee and Fideliti Vouchers are widely accepted by day nurseries, childminders, nannies and holiday and out of school schemes. If you use a childcarer who is not registered with Fideliti it is a simple process for them to register and they should contact Fideliti on **0800 288 8727**.

For more information please contact Fideliti on freephone **0800 288 8727**. Alternatively, you can apply on-line at the [Fideliti Voucher Scheme website](#) quoting reference **SEF2487**.

Please note that childcare vouchers will cease if an employee has a period of statutory or unpaid maternity leave. An employee can elect to continue to pay for vouchers from their occupational maternity pay.

If you are already signed up to receive childcare vouchers and you are expecting another baby, you should consider the following information:

- Statutory Maternity Pay (SMP) is calculated on your 'average weekly earnings' during weeks 17 – 25 of your pregnancy.
- For the purpose of calculating SMP your lower salary (after childcare vouchers have been deducted) will be used.
- By remaining on the voucher scheme throughout your pregnancy your SMP will be reduced.
- To ensure that your SMP is not reduced, you should consider whether to leave the childcare voucher scheme by week 17 of the pregnancy.

NB: A salary sacrifice arrangement cannot reduce an employee's cash earnings below the National Minimum Wage. If you fall into this category you will be unable to join the scheme. Please note that your entitlement to some benefits are based on the amount of NICs that you pay, and others on the amount of your earnings, entering into a salary sacrifice may affect your current or future entitlement to a range of benefits.

You may be able to get help with your childcare costs through the childcare element of the Working Tax Credit from the HMRC website at <http://www.hmrc.gov.uk/taxcredits/start/who-qualifies/children/childcare-costs.htm>

Important Changes to Childcare Vouchers from October 2018

From October 2018, childcare voucher schemes will close to new applicants. You may be able to get [Tax-Free Childcare](#) instead.

You can keep getting vouchers if you've joined a scheme and get your first voucher **before** the scheme closes in October 2018, as long as:

- you stay with the same employer and they continue to run the scheme
- you don't take an unpaid career break of longer than a year

Which scheme you're better off with depends on your situation. Use the [childcare calculator](#) to work out which type of support is best for you.

Government Tax-Free Childcare

[Tax-Free Childcare](#) is a new government scheme to help working parents with the cost of childcare. Parents will be able to open an online account, which they can use to pay for childcare from a registered provider. Your childcare provider must be signed up to the scheme before you can pay them and benefit from Tax-Free Childcare.

For every £8 a parent pays in, the government will pay in an extra £2. Parents can get up to £500 every 3 months (£2,000 a year) for each of your children to help with the costs of childcare, or £4,000 for disabled children. The scheme will be available for children aged 11 or under and usually live with you (or 17 for children with disabilities). They stop being eligible on 1 September after their 11th birthday. Adopted children are eligible, but foster children are not.

To qualify, parents will have to be in work, and each earning at least the National Minimum Wage or Living Wage a week. Each parent must not have income over £100,000 per year.

If you get Tax Credits, Universal Credit or Childcare Vouchers

You can't get Tax-Free Childcare at the same time as claiming Working Tax Credit, Child Tax Credit, Universal Credit or childcare vouchers.

Further information is available via the Government's website

<https://www.gov.uk/government/news/tax-free-childcare-10-things-parents-should-know>

Private Day Nurseries

Private day nurseries are registered and inspected by Statutory Bodies. Age ranges for nurseries vary i.e. 0-2 or 2-5 etc., and some place restrictions on entry to the various categories, for example, some establishments stipulate that children must be toilet trained before they are accepted. The environment of nurseries offers good background preparation for school.

Childminders

Childminders are also registered with the Local Authority but they care for children within their own home. The number of children they are allowed to care for at any one time is restricted but varies slightly dependent upon their individual circumstances i.e. the size of their premises and their number of years experience. However, minimum Adult/Child ratios do apply as follows:

- | | | |
|----------------------|---|---|
| 1 Adult : 3 Children | - | for children aged under 5 |
| 1 Adult : 6 Children | - | for children aged 5 - 7 years |
| 1 Adult : 6 Children | - | for children aged under 8 years (with no more than 3 children under 5 years). |

In addition a maximum of:

- 1 child to be provided for at any one time within the age range of 0 - 12 months
- 2 children to be provided for at any one time within the age range of 12 - 24 months.

These figures include any children of their own.

Childminders tend to offer the greatest flexibility of hours and in some cases can offer the added advantage of collecting your child and/or living locally.

Please check that the childminder you are considering is registered.

Relatives

Having someone from your family to look after your child can be a very successful arrangement and is the most common form of childcare used throughout the country. Remember, however, that they may have different ideas from your own about how to bring up children. You must never feel pressurised into accepting an offer of childcare from a relative solely on the basis of not wanting to 'upset the family'.

General

It is always helpful to seek advice and guidance from friends and relatives on the issue of Childcare. However, you must not be unduly influenced by other people's views on what is best for you and your baby, weigh up all the advantages and disadvantages of the options available. It is advisable to check out any facilities that you are considering by calling at the premises to assess the situation. Ask yourself:

- do the children seem happy?
- are they engaged in educational activities?
- are the facilities adequate?
- is there a comfortable and relaxed atmosphere?

Further information is available from Sefton Families Information Service on the Council's website or on 0845 140 0845/fis@sefton.gov.uk.

SECTION G

Help and Advice After Your Baby is Born

Registering the Birth

You will have to register the birth of your child within the first six weeks at your local Registry of Births, Marriages and Deaths. The Registrar will give you a birth certificate.

Local Registrars can be found at:

North Sefton: Southport Town Hall, Southport, PR8 1DA
Tel. 01704 9342011/2013

South Sefton: Waterloo Town Hall, Great George's Road, Waterloo, L22 1RB
- Tel. 0151 9343047

You will need to register the birth in order to obtain any benefits to which you may be entitled.

Child Benefit

Child Benefit is a tax free benefit paid to each of your children however your right to Child Benefit depends on income. You should claim as soon as possible after the birth as benefit can only be backdated up to a maximum of six months from the date of your claim.

Child Support Maintenance

The DWP is responsible for the child maintenance system. It funds information and support for separating parents and runs the statutory child maintenance scheme.

Tax Credits

[Tax credits](#) are a payment from the government. If you're responsible for at least one child or young person, you may qualify for Child Tax Credit. If you work, but are on a low income, you may qualify for Working Tax Credit. You can often get both types of credit.

Application forms for claiming benefit as well as information leaflets are available from your local Welfare Rights Section.

SECTION H

Questions and Answers:

1. Q. **Does it matter what day of the week I commence maternity leave?**

A. If you continue to work after the 11th week before the week your baby is due you can choose when you want your SMP to start. SMP will start from any day you choose, once you have stopped work to have your baby. This means that your SMP should start from the first day of your maternity leave, unless:

The baby is born more than 15 weeks before the due date,

or

The baby is born before the intended start date of leave,

or

You have a pregnancy related illness (after the 4th week before your EWC).

2. Q. **What if I fall ill before my maternity leave commences?**

A. If you are not fit to work during your pregnancy you may be entitled to Statutory Sick Pay, however, sick pay cannot be paid **in addition to** Statutory Maternity Pay.

The disqualifying period for S.S.P. will run for 26 weeks beginning at the start of your maternity pay period. If you fall sick after the 4th week before your E.W.C. entitlement will depend upon the nature of the illness. During this period S.S.P. can only be paid if the sickness is **unrelated** to pregnancy. However, any periods of sickness **absence on or after the 4th week before the E.W.C. which are pregnancy related** will automatically trigger the maternity pay period commencing on the day after the first complete day of absence from work.

3. Q. **Can I reduce my hours to part-time on my return to work?**

A. There is no automatic right to do this but your Head teacher will assess the practicalities of allowing you to return on a part-time basis, or any other flexible arrangement and, providing it is operationally possible, no reasonable request should be refused. Employees wishing to return to work on a job share arrangement must make such a request to their Head teacher at least three months before their expected date of return. Further information is available in Section E. Please note that, in most cases, agreement should be made to take holidays accrued on a full time basis

immediately after return to work.

4. **Q. *If I return to work on a part-time basis will the minimum three month qualifying period for ½ pay entitlement be extended?***

A. No, if it is agreed that you can return to work on a part-time basis you still only have to complete a minimum of three months service to retain your ½ pay entitlement. This three month period includes periods of annual leave.

5. **Q. *I wish to stay at work as near as possible to my EWC, what do I need to do?***

A. You are able to work right up to the day before your baby is due to be born provided you are fit to do so. SMP will start from any day you choose, once you have stopped work.

6. **Q. *What if I change my mind and do not wish to return to work?***

A. Should you choose not to return to work and you have received 12 weeks occupational maternity pay at half pay, you must pay back this money to the Authority. However, it is possible to calculate the refund on a pro rata basis. For example, if you have returned for 2 months the refund will be one month's ½ pay rather than the full 3 month amount. In addition, you will be required to refund payment, if applicable, for any days annual leave, including public holidays, taken in excess of your entitlement, calculated pro rata to the date of your resignation.

7. **Q. *What if I fall sick on my intended date of return to work?***

A. Should you fall sick on your intended date of return; medical certificates will be required in the normal manner. If you have returned within the Statutory Maternity Pay (SMP) period you will receive SMP and Occupational Sick Pay (OSP). If you have returned after the SMP period you will receive sick pay in accordance with the Council's sick pay policy.

8. **Q. *Will I accrue annual leave whilst on maternity leave?***

A. Yes, both OML and AML count as reckonable service for the purposes of calculating annual leave entitlement.

9. **Q. Can I take annual leave either immediately before or after maternity leave?**
- A. Yes, providing such an agreement is acceptable to your Head teacher and the needs of the school. Annual leave to be accrued throughout the maternity period should be taken before maternity leave commences wherever possible
10. **Q. Does maternity leave count towards incremental credit?**
- A. Yes, absence during maternity leave, whether paid or unpaid, counts as reckonable service for calculating entitlement to incremental progression.
11. **Q. What will I be paid if I work a KIT day?**
- A. You may receive additional payment only for the hours that you work, which is calculated as follows:
- KIT day whilst receiving occupational maternity pay (i.e. full pay) = no additional payment will be made.
 - KIT day whilst receiving statutory maternity pay = the statutory rate will be used to offset against any contractual payment for the hours that you work on a KIT day (see examples on page 18)
 - KIT day whilst on unpaid maternity leave = your normal basic pay for the hours that you work.

It is advisable that you speak to a member of the Personnel Team - Schools prior to undertaking a KIT day to ensure that you understand what your payment will be and when it will be received.

Annex A

Application for Statutory and Occupational Maternity Pay

Form A - Should be completed by employees who have at least one years continuous service (calculated up to the start of the 11th week prior to the EWC).

Application for Statutory Maternity Pay Only

Form B - Should be completed by employees who have been continuously employed by Sefton for at least 26 weeks continuing into the 15th week before the EWC (i.e. for employees who have less than one year continuous local government service)

Application for General Maternity Leave/Pay Equivalent to Ordinary Paternity Pay

Form C - Should be completed by all employees who have **less than 26 weeks continuous service** and are who are not therefore eligible for statutory or occupational maternity pay

Completed forms should be forwarded to your Head teacher.

FORM A

Application for Statutory and Occupational Maternity Pay

Please complete this form and submit it to your School as soon as possible and no later than 28 days before your absence is due to begin. Please read the notes contained within this booklet before completing the form and, if in any doubt, consult the Personnel Team - Schools.

1. My absence on maternity leave will begin on (this date must not be earlier than the beginning of the 11th week before the expected week of childbirth).
2. I enclose/will forward a certificate from a registered medical practitioner or certified midwife stating my expected date of childbirth.
3. I will notify my School, as soon as possible, of the actual date of my childbirth
4. Please delete one of the following statements:
 - a) I do not intend to return to work after the birth of my child and hereby resign my post.

OR

- b) I intend to return to work after my period of maternity leave. I realise that I must return to work for a period of at least three months, otherwise my half pay occupational maternity allowance will be forfeit.
5. Please pay my half pay allowances during my maternity leave/on my return to duty (delete as appropriate).

Signed: _____ Date: _____

Employee No.: _____ Dept No: _____

You are advised to keep a copy of your completed application form.

FORM B

Application for Statutory Maternity Pay Only

Please complete this form and submit it to your School as soon as possible and no later than 28 days before your absence is due to begin. Please read the notes contained within this booklet before completing the form and, if in any doubt, consult the Personnel Team - Schools.

1. My absence on maternity leave will begin on (date). (This date must not be earlier than the beginning of the 11th week before the expected week of childbirth).
2. I enclose/will forward a certificate from a registered medical practitioner or certified midwife stating my expected date of childbirth.
3. I will notify my School, as soon as possible, of the actual date of birth.
4. Please delete one of the following statements:
 - (a) I intend to return to work after the birth of my child. I will give the required advance notification of my intended date of return if I return earlier than the full entitlement of 52 weeks maternity leave.

OR

- (b) I do not intend to return to work after the birth of my child and hereby resign my post.

Signed: _____

Date: _____

Employee No.: _____

Dept No: _____

You are advised to keep a copy of your completed application form.

FORM C

Application for General Maternity Leave/Pay

Please complete this form and submit it to your School as soon as possible and no later than 28 days before your absence is due to begin. Please read the notes contained within this booklet before completing the form and, if in any doubt, consult the Personnel Team - Schools.

1. My absence on maternity leave will begin on (this date must not be earlier than the beginning of the 11th week before the expected week of childbirth).
2. I enclose/will forward a certificate from a registered medical practitioner or certified midwife stating my expected date of childbirth.
3. I will notify my School, as soon as possible, of the actual date of birth.
4. I wish to apply for pay equivalent to that granted under the Ordinary Paternity Leave Scheme whilst on Maternity Leave. I understand that this payment is only payable because I am not entitled to Statutory Maternity Pay or Occupational Maternity Pay. I understand that the amount payable will be offset by the Maternity Allowance I receive.
5. I attach correspondence from the DWP detailing the fact that (*delete as applicable*)*
 - a) I will not be receiving payment from the DWP
 - b) I will be entitled to £..... per week Maternity Allowance from the DWP.

I understand that this amount is payable only when I produce notification from the DWP indicating my position regarding maternity allowance.

Signed: _____

Date: _____

Employee No.: _____

Dept No: _____

You are advised to keep a copy of your completed application form.