CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

School Maternity Policy (NJC Staff)

School	Cybi
Date policy approved and adopted by Governing Body	24/9/25
Review frequency	Every 3 years
Next review date	Autumn Term 2028
Head teacher	Owain Lemin Roberts
Chair of Governors	Colin Bell

Prepared by Human Resources, Transformation Service
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1. INTRODUCTION

1.1. The School Maternity Leave Policy (NJC staff) will apply to all pregnant employees on NJC terms and conditions of service.

1.2. Regardless of an employee's length of service they will be entitled to 52 weeks maternity leave (26 weeks ordinary maternity leave and 26 weeks additional maternity leave), provided the required notice is given. Employees cannot work during the two weeks after the child is born. This is the period of compulsory maternity leave.

1.3. The policy also applies where the baby dies or is stillborn after a pregnancy lasting at least 24 weeks.

2. INITIAL OBLIGATIONS ON THE EMPLOYEE

2.1. The employee must notify their Headteacher that they wish to be absent for maternity leave as soon as practicable but not later than 28 days before they wish for the absence to begin.

2.2. The employee must also submit a completed statement of intent (Appendix 2) and MATB1 medical certificate to the Headteacher at least 28 days before the employee intends to commence the maternity leave. The Headteacher will forward the documents to the Human Resources (HR) Unit to be processed.

2.3. It is possible for the employee to change the date the leave commences provided at least 28 days' notice is given.

3. INITIAL OBLIGATIONS ON THE HEADTEACHER

3.1. Following notification from the employee that they are pregnant, the Headteacher will arrange to meet with the employee as soon as is practicable to conduct a New and Expectant Mothers Risk Assessment. The purpose of the risk assessment is to identify any potential risks which could jeopardise the health and safety of the employee and to supply relevant information to other employees accordingly. During this meeting the Headteacher will also provide the employee with a copy of the School Maternity Policy (NJC Staff).

3.2. Throughout the duration of the pregnancy the health and safety of the employee is of paramount importance. The risk assessment should be an ongoing process throughout the duration of the pregnancy and should be reviewed as a minimum at 12 weeks, 24 weeks and 36 weeks of pregnancy.

3.3. Forward the employees original MATB1 and statement of intent to the HR Unit for processing.

4. ANTE NATAL CARE

4.1. All pregnant employees have the right to paid time off to attend ante natal care; this may include relaxation and parent craft classes as well as medical examinations.

4.2. The employee must provide evidence of appointments if requested to do so by the Headteacher.

4.3. The father-to-be, mothers partner or nominated carer of the expectant mother can take time off to attend two ante natal appointments with the expectant mother. The appointment must be on the advice of a registered medical practitioner, registered midwife or registered nurse. The time off will be unpaid.

5. START OF MATERNITY LEAVE

5.1. If the employee's maternity leave has not already started, it will be triggered by the birth of the child and will commence on the following day.

5.2. In the above situation the employee must notify their employer in writing as soon as is reasonably practical that they have given birth and have started their maternity leave.

5.3. An employee is entitled to commence their maternity leave no earlier than the 11th week before the EWC.

5.4. The employee must at this stage declare in writing whether or not it is their intention to return to work after the period of maternity leave in order to receive Occupational Maternity Pay (OMP), if eligible.

6. MATERNITY PAY

6.1. Payments for employees who have less than 1 year's continuous local government service at the beginning of the 11th week before EWC shall be the employee's entitlement to Statutory Maternity Pay (SMP), where eligible according to the maternity pay statutory guidelines.

6.2. Payments for employees who have completed 1 year's continuous local government service at the 11th week before the EWC shall be as follows:

- For the first six weeks of absence an employee shall be entitled to 90% of a week's pay offset by payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP. If SMP is more than the employee's normal weekly pay, then the employee is only entitled to their weekly wage for the whole 39 weeks of maternity leave.

- An employee who declares in writing that they intend to return to work will, for the subsequent 12 weeks' absence receive half a week's pay (Occupational Maternity Pay) plus SMP, where eligible, without deduction provided the combined pay and SMP (or MA if not eligible for SMP, see point 8.3) does not exceed full pay, followed by 21 weeks SMP or MA entitlements. Alternatively, the equivalent amount (i.e. 6 weeks' pay) may be paid on any other mutually agreed distribution for up to 33 weeks.

- For employees not intending to return to work payments during the subsequent 33 weeks shall be the employee's entitlement to SMP, or MA for employees not eligible for SMP.

- Occupational Maternity payments shall be made on the understanding that the employee will return to local authority employment for a period of at least 3 months, which may be varied by the local authority on good cause being shown and attend work in accordance with their agreed contracts. In the event of the employee not doing so, they shall refund the monies paid, or such part thereof, if any, as the authority may decide. Payments made to the employee by way of SMP are not refundable.

6.3. For employee's ineligible for SMP, following receipt of the paperwork, the payroll department will send a SMP1 form indicating the reason the employee is not eligible to receive SMP. The employee must send the SMP1 form, a MA1 form and the original MATB1 to the Department for Work and Pensions to make a claim for Maternity Allowance. Maternity Allowance is paid by the Department for Work and Pensions.

7. MATERNITY PAY AND PENSION CONTRIBUTIONS

During maternity leave an employee will continue to pay normal contribution rate on any pensionable pay received. During periods of unpaid leave, an employee will not pay pension contributions, and no pension will be accrued. It is possible to buy back periods of 'lost' pension, details of this facility can be obtained by visiting the Gwynedd Pension Fund website.

8. KEEPING IN TOUCH

8.1. The Headteacher should maintain contact with the employee during the maternity leave period, ensuring employees are kept informed of vacancies, any significant workplace developments and training opportunities. A mutually agreed method of contact should be established before the employee commences maternity leave.

8.2. Keeping in touch (KIT) days are intended to facilitate a smooth return to work for employees returning after a period of maternity leave. An employee may

work up to 10 KIT days during maternity leave without bringing their maternity leave to an end.

8.3. An employee may not work during the two weeks of compulsory maternity leave immediately after the birth of the baby.

8.4. The following arrangements are suggested to utilise KIT days:

- The employee must outline their intention to undertake KIT days, arrangements for this must be agreed with the Headteacher.
- The work can include training or other activities which enable the employee to keep in touch with the workplace.
- Arrangements in relation to KIT days must be by agreement and neither the Headteacher nor the employee can insist upon utilising KIT days.

8.5. It may be appropriate for the employee not to work their normal hours during KIT days, however agreement should be reached as to what the working hours/ days will be. It may also be the case that there may be variation to the KIT day i.e. the employee may wish to build up hours gradually etc. However, whether the employee works 1 or 7 hours within one KIT Day, this will be classed as one KIT day out of the ten available.

8.6. The employee will have any SMP or MA topped up to their normal salary level on an hourly basis for each hour of attendance on a KIT day.

8.7. KIT days will need to be recorded on the 'Record of attendance and claim form- KIT days' (appendix 3). This form will need to be authorised by the Headteacher and forwarded to payroll with a copy to Human Resources on exhaustion of KIT day allowance.

8.8. The Headteacher should conduct a new and expectant mother's risk assessment or review any existing risk assessments to take account of KIT days.

9. RELATIONSHIP WITH HEALTH AND SAFETY REGULATIONS

9.1. If during pregnancy the employee is advised by an approved medical practitioner to absent themselves from work due to health and safety risks, the Headteacher should re-visit the most recent risk assessment to identify whether further measures can be implemented to ensure the employee is not exposed to any health and safety risks. Where identified risks cannot be removed, the employee will not be obliged to continue that work and the following process should be followed:

- Action 1 – Temporarily adjust the employees working conditions and/or hours of work.

  If this is not possible:

- Action 2 – Suitable alternative employment should be offered to the employee if possible (at the employee's current rate of pay)

  If this is not possible:

- Action 3 – The employee should be granted a leave of absence on health and safety grounds. During the period of absence, the employee will be given paid leave at the normal rate of pay.

The Council is particularly aware of the danger to new and expectant mothers of rubella (German measles) and will act in the best interests of the employee in relation to the above actions.

10. RELATIONSHIP WITH SICKNESS ABSENCE

10.1. Where a pregnancy-related absence occurs after the beginning of the 4th week before the expected week of childbirth, this will automatically trigger maternity leave and maternity pay.

10.2. A pregnant employee will be entitled to receive statutory sick pay where they fall sick after the 4th week before the expected week of childbirth provided the sickness is unrelated to pregnancy. Statutory Maternity Pay (SMP) will then be triggered from the notified date of commencement of maternity leave.

10.3. Absence on account of illness attributable to pregnancy, including on account of miscarriage which occurs outside of the period of absence for maternity, shall be treated as ordinary sick leave, and shall be subject to the conditions normally governing such leave, provided it is covered by a medical certificate.

10.4. If the baby dies, or is stillborn after 24 weeks of pregnancy the School Maternity Policy (NJC) will apply. Where this occurs before 24 weeks (miscarriage), the policy will not apply. In this case the Managing Absence Policy for Schools will apply, and medical certificates should be submitted as per that procedure. Headteachers' should handle such cases sympathetically and offer relevant support such as a referral to the Occupational Health Service and information to self-refer to the counselling service.

11. SHARED PARENTAL LEAVE

11.1. Mothers can choose to end their maternity leave early and share the remainder of their leave with their partner, with the option of both taking leave at the same time.

11.2. An employee who wishes to curtail their maternity leave to allow their partner to take shared parental leave must give eight weeks' notice of this intention to the Headteacher; the employee's partner is also required to give eight weeks' notice.

11.3. An employee cannot cut short their two-week compulsory maternity leave period to allow their partner to take shared parental leave during this time.

11.4. Further information can be found in the School Shared Parental Leave Policy.

12. RIGHT TO RETURN TO WORK

12.1. Subject to (12.2) the employee on maternity leave has the right to return to the job in which they were employed under the original contract of employment and on the terms and conditions not less favourable than those, which would have been applicable if they had not been absent. 'Job' for this purpose, means the nature of the work which they are employed to do and the capacity and place in which they are so employed.

12.2. Suitable alternative employment may be offered if exceptional circumstances other than redundancy (e.g. general reorganisation), which would have occurred if the employee had not been absent, necessitate a change in the job which they were employed prior to the absence. The work to be done should be suitable to the employee and appropriate to the circumstances, and the capacity and place in which they are to be employed, and the terms and conditions of employment should not be less favourable than if they had been able to return to the job in which they were originally employed.

13. EXERCISING THE RIGHT TO RETURN TO WORK

13.1. The employee shall notify the Headteacher in writing, at least 21 days before the day on which they propose to return to work. The Headteacher should forward a copy of the notification to HR and Payroll to ensure payroll adjustments are implemented.

13.2. If the employee wishes to return to work earlier than originally agreed, at least 21 days' notice must be given to the Headteacher. If the employee proposes to return to work later than originally agreed, notice of the new return date must be given at least 21 days before the original return date.

13.3. Where the notice provided is less than 21 days the Headteacher may postpone the return to ensure 21 days' notice, however, return may not be postponed beyond the end of the 52 week maternity leave period.

13.4. The Headteacher should inform the employee covering the maternity leave period as soon as is practicable of the post holder's intention to return to work early.

14. REQUIREMENTS ON RETURN TO WORK

14.1. The employee must return to local authority employment for a period of at least 3 months following the maternity leave. Failure to do so will require a repayment of the Occupational Maternity Pay (12 weeks half pay) they have received.

14.2. In accordance with the Flexible Working Policy (Schools) an employee may request flexible working and have their request considered in a reasonable way by their employer. Further information can be found in the School Flexible Working Policy.

APPENDIX 1

Roles & Responsibilities

Employee

Notify the Headteacher as soon as practicable but not later than 28 days before the date they wish to be begin maternity leave.

Submit a completed statement of intent form (Appendix 2) with their MATB1 medical certificate to the Headteacher at least 28 days before they intend to commence their maternity leave.

Discuss and agree KIT days with Headteacher, if applicable.

Complete KIT days paperwork and submit to the Headteacher for authorization and to be passed to the Payroll Section after all KIT days have been exhausted, providing a copy to HR also.

Notify their Headteacher of their date of return to work, giving sufficient notice as identified in part 13 of the policy

To return to work on the date agreed.

Headteacher

Conduct health and safety risk assessments and review as necessary.

Provide the employee with a copy of the School Maternity Policy (NJC Staff).

On receipt of the employee's statement of intent and MATB1 form, forward original copies to the HR Unit.

Discuss and agree KIT days with employee, if applicable.

Authorize KIT days paperwork on submission by the employee and pass to the Payroll Section after all KIT days have been exhausted, providing a copy to HR also.

Maintain contact over the maternity leave period, ensuring employees are kept informed of vacancies, any significant workplace developments and training opportunities.

Inform HR and Payroll when the employee returns from maternity leave

Notify HR and Payroll if the anticipated date of return is different to that originally notified.

HR

Upon receipt of a statement of intent and MATB1 from the Headteacher, write to the employee to confirm the date their maternity leave will end, maternity pay entitlements and notice requirements in relation to early return/ not returning to work.

Arrange for the Payroll Section to receive all appropriate documentation in relation to maternity leave.

APPENDIX 2

STATEMENT OF INTENT – MATERNITY LEAVE (NJC)

Completed copy to be submitted to the Human Resources Unit, Council Offices, Llangefni, Isle of Anglesey, LL77 7TW at least 28 days prior to commencement of maternity leave.

PERSONAL DETAILS:

Title:…….

Full Name: ……

Pay Number: ……..

School: ……

DETAILS OF INTENDED ABSENCE:

In accordance with the School Maternity Leave (NJC/Support Staff), which I have read and understood, I wish to give 28 days' notice that:

1. My last working day will be …….
2. I will start my maternity leave on ……
3. My expected date of childbirth is…….
4. I intend to take……. weeks maternity leave
5. I intend to return to work after my maternity leave:
   Yes ☐
   No ☐

PAY OPTIONS:

If applicable, I wish to receive 12 weeks half pay:

1. During my maternity leave:
   over a period of 12 weeks ☐
   over a period of 33 weeks ☐
   (*) I understand that I will be required to reimburse the Authority any occupational maternity pay in the event of me not returning to work for a period of 3 months
2. As a lump sum 3 months after my return to work ☐

DECLERATION:

I understand that I am required to give 21 days' written notice to the School of my intention to return to work if this is before the end of my maternity leave period.

I have enclosed my MAT B1 confirming the date my baby is due. *Please note that your maternity leave cannot be processed without the MAT B1*

SIGNED:…… **DATE:**……

APPENDIX 3

CYNGOR SIR YNYS MÔN/ISLE OF ANGLESEY COUNTY COUNCIL

Record of Attendance and Claim Form - KIT Days

ENW/NAME	
RHIF CYFLOG / PAY NUMBER	
YSGOL/ SCHOOL	

DIWRNOD KIT/KIT DAY	**DYDDIAD/ DATE**	**ORIAU A WEITHIWYD/ HOURS WORKED O/FROM**	**I/TO**	**AMSER PRYDAU/ MEAL TIME O/FROM**	**I/TO**	**CYFANSWM ORIAU A HAWLIWYD/ TOTAL HOURS CLAIMED**
DIWRNOD 1/ DAY 1						
DIWRNOD 2/ DAY 2						
DIWRNOD 3/ DAY 3						
DIWRNOD 4/ DAY 4						
DIWRNOD 5/ DAY 5						
DIWNOD 6/ DAY 6						
DIWRNOD 7/ DAY 7						
DIWRNOD 8/ DAY 8						
DIWRNOD 9/ DAY 9						
DIWRNOD 10/ DAY 10						

CÔD GWARIANT/ EXPENDITURE CODE:	CYFANSWM ORIAU A HAWLIR/ TOTAL HOURS CLAIMED:

LLOFNODION YN TYSTIO CYWIRDEB / SIGNATURES CERTIFYING ACCURACY

GWEITHIWR/EMPLOYEE:	
PENNAETH/ HEADTEACHER	

NB: One form only to be completed which must include all KIT days undertaken. Only when all KIT days have been recorded should the form be passed to the Payroll Section for Payment, and a copy to HR Unit.