

NEWRY, MOURNE and DOWN DISTRICT COUNCIL

POLICY ON MATERNITY LEAVE AND ENTITLEMENTS

1. Formal notification of pregnancy and maternity leave arrangements

Firstly, you will need to send us your Maternity Certificate or MatB1 as soon as possible and no later than 28 days before your expected week of confinement. I would also be grateful if you would complete the Confirmation of Maternity Leave form and return to us in the self-addressed prepaid envelope. We would be grateful if you would provide as much notice as possible of the date that you wish to commence Maternity Leave – this can be any date from the beginning of the 11th week before the baby is due.

2. Health and Well-being

■ Ante natal care

During your pregnancy, you are permitted to a reasonable amount of time off for ante-natal care. Ante-natal care covers a range of things, such as relaxation and parentcraft classes (on the advice of a healthcare professional), as well as medical examinations related to the pregnancy. You should request time off as far in advance as possible with your line manager. Confirmation of such appointments may be sought from your line manager. Every effort will be made to accommodate you.

■ Health and Safety

A risk assessment will be carried out to identify any potential risks to your health and safety arising from your duties while you are pregnant or breastfeeding. We can only do this when you have advised us that you are either pregnant or will be breastfeeding, so we would ask that you let us know as soon as possible.

3. Maternity Leave period

Regardless of your length of service or number of hours a week you work, you are entitled to 52 weeks' Maternity Leave. We expect you to return to work 52 weeks after the date you start your Maternity Leave, unless you provide us with 8 weeks' notice of an earlier return date. You must provide this notice in writing. Once you have given us notice of your date of return from Maternity Leave, you must give us 8 weeks' notice of any change to this date.

The first 26 weeks of your 52 weeks' Maternity Leave is called Ordinary Maternity Leave and the second 26 weeks is called Additional Maternity Leave.

4. Start of Maternity Leave

You can commence your Maternity Leave at any time from the start of the 11th week before your expected week of confinement right up to the date of the birth of your baby. If you opt to work right up to the date of the birth of your baby, then your Maternity Pay Period will commence on the day following the date of the birth. You must not, of course, stay at work if you are medically unfit to do so.

You should also note, that if you are absent from work because of a pregnancy related illness, on or after the 4th week before your baby is due, the Maternity Pay Period will commence automatically.

If your confinement occurs before you have started your Maternity Leave, you must give notice to HR as soon as you reasonably can and certainly within 28 days of the birth, as long as this is practicable.

5. Maternity Pay

You already have more than 1 year's continuous service and so you will be eligible for Maternity Pay under both the National Agreement referred to in your Contract of Employment and the Statutory Maternity Pay (SMP) Scheme. [Your earnings are also high enough to qualify for both higher and lower rate SMP].

This means that for the first six weeks of your Maternity Leave you will receive 9/10ths of your pay, which will include payment of any pay which is subject to tax and national insurance contributions (which will include, for example, bonuses, essential car user allowance, or any other relevant element of your pay. Our Payroll section will carry out an assessment of your average weekly earnings in the 8 weeks before the end of your Qualifying Week (ie the 11 weeks before the expected week of confinement (EWC). They will then be able to determine your rate of Statutory Maternity Pay during the first six weeks of your Maternity Leave. If you wish, you can contact Payroll; they will be able to advise you of the rates payable to you during the first six weeks of your absence.

The monies paid to you during these first six weeks will count as the higher rate SMP. If there is a pay award during your Maternity Pay period, the payment to you will increase accordingly.

After six weeks, in the event you have indicated in writing that it is your intention to return to work, you will receive half pay for a period of 12 weeks plus lower rate Statutory Maternity Pay which the Council will pay to you. The summary below sets out how you would normally be paid Maternity Pay.

Week no.	Maternity Pay
Weeks 1 to 6	90% of average weekly pay (inclusive of SMP)
Weeks 7 to 18	Half pay (plus SMP)
Weeks 19 to 39	SMP
Weeks 40 to 52	Unpaid

The Occupational Maternity Pay scheme provides that, as an alternative, the sum of the total payment during the 39 weeks of the Maternity Leave period when you would receive payment can be averaged out across the entire period.

We are happy to discuss any alternative arrangements for how the payment could be paid to you.

You should note that if half pay and lower rate SMP come to more than full pay, payments will be scaled down to be no more than full pay whilst SMP is being paid. This is because the national maternity scheme provides that you should not receive more than full pay during this period.

For full details on SMP rates, you can visit the website below:

http://research.dwp.gov.uk/advisers/ni17a/smp/smp_11.asp

As a qualifying condition for entitlement to contractual Maternity Pay after the first six weeks of your absence, you will be required to return to work for a period of at least 3 months, at the end of your Maternity Leave Period of either 52 weeks or less, if you return sooner.

In the event of you not returning to work for at least 3 months, you will be required to refund the 12 weeks' half pay or such thereof, if any, as the Council considers appropriate.

During your Maternity Leave, the payment to which you are due will be paid in exactly the same way as you receive your wages at present.

6. Pension

Your position under the Local Government Superannuation Scheme is as follows:

Week no.	Pension Contributions
Weeks 1 to 6	Contributions will be deducted from your actual pay, which in your case will be 9/10ths of your full pay.
Weeks 7 to 18	Contribution will be deducted on your Contractual Half Pay and Statutory Maternity Pay.
Weeks 19 to 39	Contributions will be deducted on your Statutory Maternity Pay.
Weeks 40 to 52	Unpaid

The Council will continue to make pension contributions throughout the 39 week period based on your normal salary. If you decide not to return to work when your paid maternity comes to an end, the Council will cease making contributions during this period.

In the period of unpaid Maternity Leave, you may elect to make contributions in respect of any such period within 30 days of your return to work.

7. Before you return to work

When you are preparing to return to work, you might wish to consider some of the following:

▪ Flexible Working Options

The Council offers a range of working options to support its employees' finding a work life balance. If you would like a copy of the policies or to discuss these options, please contact HR.

▪ Childcare vouchers

The Council operate a government backed childcare voucher scheme which provides for working parents of children under 16, to request non-taxable and exempt from National Insurance Contribution Childcare Vouchers up to the value of £55 per week. This amount is free from Tax and National Insurance. For further details on this scheme, you should contact Connor at Happy Days Child Care Vouchers on 0808 100 2991.

▪ Breastfeeding

You have the right to be provided with breastfeeding facilities and, time off to breastfeed. Please contact us in writing to advise us if you wish to breastfeed, so that suitable arrangements can be made.

8. Keeping in touch days (KIT Days)

The Council operates Keeping in Touch Days (KIT Days) whereby you may have the opportunity of working for a maximum of 10 days during your Maternity Leave, for which you would receive your normal rate of pay. You will not lose any SMP for working up to 10 days. If you wish to avail of KIT days, you should discuss this with your line manager before you begin your Maternity Leave.

9. Leave

During your period of Maternity Leave (OML and AML) you will retain your right to accrue annual leave and customary holidays.

If it is not possible to take annual leave at the same time as Maternity Leave, however you can use any untaken annual leave either before the beginning of your Maternity Leave or once your Maternity Leave has finished. Some may wish to take their annual leave at the end of your paid Maternity Leave period at week 40. If it is not possible to take annual leave within the annual leave year, it may be carried over to the next leave year.

10. For further information

During your Maternity Leave, your colleagues will no doubt wish to keep in touch with you. We will also send you the normal flyers and employee notices, including the Council's Newsletter. Please feel free to contact your line manager or a member of HR if we can be of any assistance to you during your Maternity Leave.

11. Related Policies

- Paternity Leave Policy
- Annual Leave and Flexible Working Policy
- Attendance Management Policy and Procedure

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