



# Maternity Policy & Procedure

## Statement of intent

The policy of Playhouse Pre-School is to provide maternity benefits which comply with the law on Maternity Rights.

This policy and procedure applies to all female staff members and aims to inform them of their entitlement to contractual and statutory maternity rights and to ensure those rights are understood.

## EYFS Key Themes and Commitments

A Unique Child	Positive Relationships	Enabling Environments	Learning and Developing
1.2 Inclusive practice 1.3 keeping safe	2.4 Key person	3.4 The wider environment	

## Notification

Employees are not obliged to let the Manager know that they are pregnant until the end of the 15th week. Although for health and safety reasons it is in the best interests of the employee to do so as soon as possible so the appropriate work place risk assessment can be carried out.

## Health and Safety

Playhouse Pre-School is required to protect the health and safety at work of all employees and others, including expectant mothers by carrying out a risk assessment.

It is the responsibility of the staff member to inform the Manager that she is pregnant so the Manager can carry out a risk assessment of the working environment. Should the working environment or duties pose a threat to her health and safety, then her duties will be modified or alternative work of a more suitable nature will be found.

## Antenatal Appointments

All pregnant employees regardless of their length of service are entitled to reasonable paid time off to keep appointments for ante-natal care made on the advice of a registered medical practitioner, midwife or health visitor.

Such appointments can include not just medical examinations but also, for example relaxation and parent craft classes.

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Except in the case of a first appointment, employees must be prepared to show on request from the Supervisor, an appointment card or some other document from a registered medical practitioner, midwife or health visitor confirming the pregnancy and showing that an appointment has been made.

### **Maternity Leave**

All pregnant employees are entitled to up to one year's maternity leave (26 weeks ordinary maternity leave and 26 weeks additional maternity leave), during which they continue to receive all contractual benefits except wages. It is for the employee to decide how much leave to take but a minimum of two weeks leave must be taken.

### **Maternity Leave Start Date**

The earliest that maternity leave can start is from the 11th week before the baby is due.

The latest that maternity leave can start is the day following the birth, if this is the date specified for the beginning of maternity leave.

Staff members should give notice of their intention to take maternity leave in writing, giving at least 8 weeks' notice (unless this is not reasonably practicable in which case as much notice as is reasonably practicable).

### **Maternity Pay**

#### **Statutory Entitlements**

Employees who have been continuously employed for less than 26 weeks into the qualifying week are not entitled to Statutory Maternity Pay (SMP).

Employees may be eligible to claim up to 39 weeks Maternity Allowance (MA) instead. This is paid directly by the Job Centre Plus offices. If employees are not eligible for MA, they may be eligible to claim income support or other benefits. Please see the DWP website for further information [www.dwp.gov.uk](http://www.dwp.gov.uk).

Employees employed continuously by the same employer for 26 weeks into the qualifying week (the 15th week before the baby is due) are entitled to SMP, SMP is payable for a total of 39 weeks. Employees must be earning on average an amount which at least equals the lower earnings limit which applies on Saturday at the end of your qualifying week.

The lower earnings limit is the amount required to earn before you are treated as paying National Insurance contributions. This is currently £97.00 a week if the end of your qualifying week is in the 2010/2011 tax year.

### **Keeping in Touch Days**

Whilst on maternity leave employees will be included on our staff meetings/training. The purpose of keep in touch days is to keep the employee up to date with any new developments and changes to the setting. This does not apply during the 2 week period commencing on and including the day on which childbirth occurs.

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Employees may also undertake up to 10 'keep in touch days' during their maternity leave by agreement with the Manager without bringing their maternity leave to an end.

Keep in touch days are designed to try and help make it easier for the employee when they return to work.

There is no obligation to undertake 'keep in touch days'.

Where an employee is either in receipt of SMP/MA or 'no pay;' on keep in touch days, wages will be made up to the hourly rate (based on wages payable immediately preceding maternity leave).

### **Return to Work following Maternity Leave**

Employees on maternity leave should contact the Supervisor 8 weeks before the end of their maternity leave to discuss arrangements for their return to work.

Employees who resume work after ordinary maternity leave are entitled to return to work to the same job on the same terms and conditions of employment as if they had not been absent, unless a redundancy situation has arisen.

Employees who return to work after additional maternity leave are normally entitled to return to work to the same job on the same term and conditions as if they had not been absent from work. However, if a redundancy situation has arisen if there is some other reason why it is not practicable for an employee to return to the same post, they would be offered a similar post on terms and condition which are no less favourable than their original job.

Employees will be offered any suitable additional training necessary on return to work.

### **Resignation following Maternity Leave**

If an employee chooses to resign following maternity leave, then the minimum notice, as stated in their contract, must be given.

This policy was agreed by the staff of Playhouse Pre-School Broadwater.

Adopted on 22<sup>nd</sup> February 2016 and will be reviewed annually.

Reviewed on 7<sup>th</sup> July 2023 by Z. Munford