25 Maternity and Parenting Policy

**Pregnant employees' rights**

**Our aim**

Our aim is to ensure all our staff are safeguarded from any potential harm caused by unreasonable work activity. We are committed to making reasonable adjustments to meet the individual needs of our employees.

We will work sensitively with employees undergoing IVF treatment as we understand how stressful the process can be.

We will support our employees during agreed periods of absence due to miscarriage or death of a baby shortly after birth or any child under 18 years old passes away.

**Employee’s rights**

According to; <https://www.gov.uk/working-when-pregnant-your-rights>

Pregnant employees have 4 main legal rights:

* paid time off for antenatal care
* maternity leave
* maternity pay or maternity allowance
* protection against unfair treatment, discrimination or dismissal

‘Antenatal care’ is not just medical appointments - it can also include antenatal or parenting classes if they’ve been recommended by a doctor or midwife.

Employers must give pregnant employees time off for antenatal care and pay their normal rate for this time off. The father or pregnant woman’s partner has the right to unpaid time off work to go to 2 antenatal appointments.

If an employee is undertaking IVF treatment they will have the same rights when they reach the embryo stage.

**Pregnancy-related illnesses**

Maternity leave and Statutory Maternity Pay will start automatically if the employee is off work for a pregnancy-related illness in the 4 weeks before the baby is due - it does not matter what has been previously agreed.

**Compulsory maternity leave**

If the employee is not taking Statutory Maternity Leave, they must take 2 weeks off after the baby is born.

**Notifying your employee**

Employees must tell their employer about the pregnancy at least 15 weeks before the beginning of the week the baby is due.

Employees must also tell the employer when they want to start their [Statutory Maternity Leave](https://www.gov.uk/maternity-pay-leave/leave) and [Statutory Maternity Pay](https://www.gov.uk/maternity-pay-leave/pay).

Employees cannot take time off for antenatal appointments until they’ve told the employer about the pregnancy.

At least 15 weeks before the week when your baby’s due, tell your employer:

* that you’re pregnant
* when your baby’s due
* that you want to take maternity leave
* when you want your maternity leave to start and end (you can change these dates later)

It’s best to tell your employer in writing so you have a record.

Your employer should confirm the end date of your maternity leave. If they don’t, it’s worth asking them for it to make sure you both have the same date in mind.

Your employer can ask to see a medical certificate, such as your MATB1 form. You’ll get this at an antenatal appointment after your 20-week scan.

**Pay**

Statutory Maternity Pay (SMP) is paid for up to 39 weeks. You get:

* 90% of your average weekly earnings (before tax) for the first 6 weeks
* £151.97or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

SMP is paid in the same way as your wages (for example monthly or weekly). Tax and National Insurance will be deducted.

**Leave**

Statutory Maternity Leave is 52 weeks. It’s made up of:

* Ordinary Maternity Leave - first 26 weeks
* Additional Maternity Leave - last 26 weeks

You do not have to take 52 weeks but you must take 2 weeks’ leave after your baby is born.

You can give less notice if your employer never gave you your maternity leave dates in writing. It’s still good to give them as much notice as you can.

Employee’s must give you 28 days' notice if they want to change their maternity leave start date. If it's shorter notice, the new date must be agreed by both of you.

You can start your maternity leave any day from 11 weeks before your due date. Your maternity leave will start earlier than the date you pick if:

* your baby comes early, or
* you’re off work with an illness related to your pregnancy, and this happens in the 4 weeks before the week of your due date.

If the baby arrives early, maternity leave and pay starts on the day after the birth.

**Adoption leave**

Statutory Adoption Leave is 52 weeks. It’s made up of:

* 26 weeks of Ordinary Adoption Leave
* 26 weeks of Additional Adoption Leave

Only 1 person in a couple can take adoption leave. The other partner could get [paternity leave](https://www.gov.uk/paternity-pay-leave) instead.

If you get adoption leave, you can also get paid time off work to attend 5 adoption appointments after you’ve been matched with a child.

**Parental bereavement leave**

Parents have a right to take Statutory Parental Bereavement Leave if:

* they’re [classed as an employee](https://www.acas.org.uk/checking-your-employment-rights)
* their child dies under the age of 18 or is stillborn after 24 weeks' pregnancy

Employees have this right from the day they start their job.

Statutory Parental Bereavement Leave can be taken in the 56 weeks following their child’s death.

If more than 1 child dies, the employee is entitled to 2 weeks' Statutory Parental Bereavement Leave for each child.

**Health and safety for pregnant employees**

When the employee tells their employer they’re pregnant, the employer should assess the risks to the employee and their baby.

Risks could be caused by:

* heavy lifting or carrying
* standing or sitting for long periods without adequate breaks
* exposure to toxic substances
* long working hours
* increased risk of contact with illnesses which may affect pregnancy [www.nhs.uk/pregnancy/keeping-well/infections-that-may-affect-your-baby](http://www.nhs.uk/pregnancy/keeping-well/infections-that-may-affect-your-baby)

Where there are risks, the employer should take reasonable steps to remove them. We do not expect pregnant employees to lift heavy equipment. All other duties will continue as set out in the practitioner’s job description and are not deemed to be a risk to individual’s health; unless specifically stated by health professionals.

Should an employee have been in close contact with any infections deemed a danger to themselves or their unborn child they must follow the link above and seek medical advice when needed.

|  |  |  |
| --- | --- | --- |
| This policy was adopted at a meeting of | St Michael’s Pre-School | name of provider |
| Held on |  | (date) |
| Date to be reviewed |  | (date) |
| Signed on behalf of the management committee |  |
| Name of signatory |  |
| Role of signatory  | Chair Person |