



MATERNITY PROVISIONS FOR TEACHING STAFF

Version control	
Aspirations Maternity Provisions (Teaching Staff) [2019-09-01]	Update to align with revised job titles and changed governance arrangements.
AAT Maternity Provisions (Teaching Staff) [2019-06-01]	Provisional review undertaken. No changes other than to logo.
AAT Maternity Provisions (Teaching Staff) [2016-09-01]	<p>This Policy has been subject to consultation with the recognised trade unions but has not been jointly agreed. Despite the absence of joint agreement about the Policy, The Trust has decided to implement the Policy with effect from 1 September 2016.</p> <p>This version is based on version 2015-03-03” available from the Trust’s Director of HR but with amendment to the notice requirement for amending the start of maternity leave, bringing the requirement into line with Burgundy Book provisions (21 days).</p>
AAT Maternity Provisions (Teaching Staff) [2015-03-03]	New document

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GLOSSARY OF TERMS

AML	Additional maternity leave (see ML below)
Aspirations	Aspirations Academies Trust.
Childbirth	Means the birth of a living child, or the birth of a child whether living or dead after 24 weeks of pregnancy.
Compulsory Maternity Leave	In circumstances of a pregnancy related illness occurring in the 4 weeks prior to EWC the maternity leave would be automatically commenced at that point. In all circumstances maternity leave must be taken over the two week period following childbirth.
Continuous Sector Service	Includes service with all local authorities (including local authority maintained schools) and other public bodies listed in the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999.
Designated HR officer	The academy's designated HR officer is the first point of contact for general queries concerning the Maternity Policy. Each Aspirations academy has a designated HR officer responsible for dealing with HR administration (either based in the academy itself or otherwise based within the Aspirations region in which the academy operates). If you are unsure who the appropriate designated HR officer is, you may check this with the Principal of your academy or with Aspirations' Director of HR and Compliance.
DWP	Department for Work and Pensions (formerly the Benefits Agency).
EWC	The Expected Week of Childbirth. This is the week in which the baby is expected to be born. The EWC starts on the day the baby is due where this is a Sunday or otherwise on the Sunday immediately preceding the day on which the baby is due.
KIT	'Keeping in Touch' days (see page 15).
LEL	Lower Earnings Limit. This is the first National Insurance earnings band, which does not attract National Insurance Contributions.
MA	Maternity Allowance: this may be payable in circumstances where there is not an entitlement to SMP (see note (iii) on page 11).
MAT B1	Your midwife or Doctor will issue you with a MAT B1 form during the 20 th week before your EWC.
ML	Maternity Leave. This may last for up to 52 weeks and may begin at any time from 11 weeks before the EWC up until the date the baby is born. The first 26 weeks of maternity leave is referred to as Ordinary Maternity Leave (OML). Any further maternity leave taken after the end of the OML period is referred to as Additional Maternity Leave (AML). Different rights apply in respect of the two different parts of maternity leave. Details available from: https://www.gov.uk/employee-rights-when-on-leave
MPP	Maternity Pay Period. This is the time during which you will receive maternity pay (statutory and/or contractual).
OML	Ordinary maternity leave (see ML above)
QW	The Qualifying Week. This is the end of 15 th week before the EWC (for Statutory Maternity Pay purposes).
SMP	Statutory Maternity Pay.
SSP	Statutory Sick Pay.

INTRODUCTION

This guide explains your entitlements to maternity leave and pay and explains what you must do to ensure you do not lose any of your rights.

The information in this guide applies to all teaching staff¹.

You should read this guide carefully and, in particular, ensure you comply with the notification requirements (explained in “What You Need To Do” on page 15).

The details are complex so do not hesitate to seek advice. The academy’s designated HR officer is the first point of contact for general queries concerning the Maternity Policy. Each Aspirations academy has a designated HR officer responsible for dealing with HR administration (either based in the academy itself or otherwise based within the Aspirations region in which the academy operates). If you are unsure who the appropriate designated HR officer is, you may check this with the Principal of your academy or with the Aspirations Director of HR and Compliance.

HEALTH AND SAFETY PROTECTION

Inform your Principal² of your pregnancy as soon as possible to enable early consideration of whether a risk assessment should be carried out in accordance with relevant regulations and guidance issued by the Health & Safety Executive.

Your manager has a ‘duty of care’ for your well-being and you should ensure that he/she is aware of any conditions which may affect your ability to undertake your role.

Consideration shall also be given to the possible need of a risk assessment on your return to work duties following maternity leave.

¹ The definition of teaching staff for the purpose of this document is those staff who are paid on one of the following pay scales: Leadership Pay Spine, Leading Practitioner Pay Spine, Teachers’ Main Scale, Teachers’ Upper Pay Scale, Unqualified Teachers’ Scale

² These maternity provisions are written in the perspective of staff based in a single academy. Identical provisions will apply for other relevant Aspirations staff but notification would generally be to the Managing Director.

THE MATERNITY SCHEMES

Your rights to maternity pay and leave are determined with reference to statutory provisions and also from additional provisions determined by Aspirations (the Aspirations Occupational Maternity Scheme for Teaching Staff). In reviewing and determining its additional provisions, Aspirations will:

- consider any relevant agreement reached between the National Employers' Organisation for School Teachers (NEOST) and the teacher unions
- consult with recognised trade unions as set out in Aspirations Trade Union Recognition Agreement.

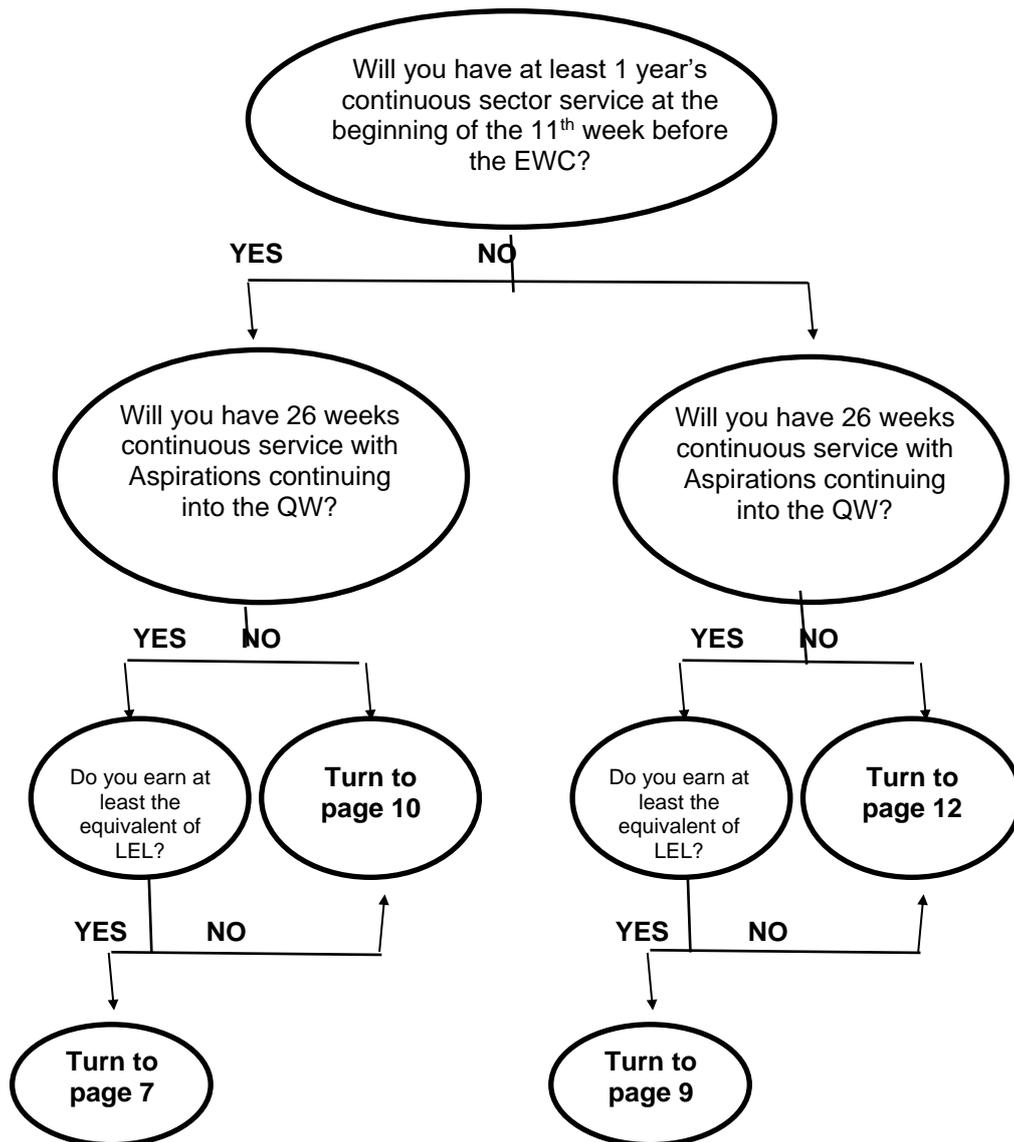
The statutory scheme includes **Statutory Maternity Pay (SMP)** which is funded by the Government but paid by Aspirations through normal salary arrangements.

You may be entitled to the provisions of one or both of the statutory scheme and the Aspirations scheme. However, in practice the entitlements overlap to some extent. In such cases you will be entitled to whichever set of provisions for which you qualify that are most beneficial to you, and in order to receive these provisions, you must give your MAT B1 form to the principal or other named contact within the academy (explained in "What You Need To Do" on page 15).

The provisions described in the following pages include both those that are statutory and those that are provided through the Aspirations Occupational Maternity Scheme for Teaching Staff.

In order to assess what you are entitled to you should follow the flowchart on the next page and then turn to the page indicated for further details.

FLOWCHART FOR MATERNITY ENTITLEMENTS



MATERNITY LEAVE AND PAY ENTITLEMENTS

(A) This section applies to employees who: -

- ◆ have at least one year's continuous sector service at the beginning of the 11th week before the Expected Week of Childbirth
- ◆ have worked for Aspirations for at least 26 weeks continuing into the Qualifying Week
- ◆ earn the equivalent of the Lower Earnings Limit (LEL) or more

Maternity Leave

You will be entitled to a maximum of 52 weeks maternity leave.

You can arrange for your maternity leave to commence at any time from the 11th week prior to the EWC (see further details on page 13).

Your maternity leave may continue until the end of the 52nd week of maternity leave. (If you wish to return to work before this date you are subject to notification requirements - see the section "What You Need To Do"). [Note: depending on a number of factors, including the timing of your return to work, your return to work can coincide with a period when you take holiday entitlement. If this is the case, then you would be recognised as having returned to work from maternity leave but would not have resumed work duties due to taking holiday entitlement].

Maternity Pay

For the first 4 weeks of your maternity pay period you will receive full weekly pay³ in accordance with the occupational scheme. SMP to which you are entitled in this period will be included within the full pay, i.e. not paid in addition to the full pay. However, in the event that the entitlement through SMP is higher than the payment due under the occupational scheme, the higher payment shall be made.

For the next 2 weeks of your maternity leave period you will receive 9/10th of weekly pay in accordance with the occupational scheme. SMP to which you are entitled in this period will be included within the 9/10th payment, i.e. not paid in addition to the 9/10th payment. However, in the event that the entitlement through SMP is higher than the payment due under the occupational scheme, the higher payment shall be made.

During the next 33 weeks of your maternity leave period you will receive:

³ Definitions of weekly pay:

- (a) For the occupational scheme "a week's pay" shall be treated as the amount payable to the teacher under the current contract of employment. If there are significant variations in the teacher's salary, the average salary over the 12 weeks preceding the date of absence shall be treated as a week's salary. This definition is based on that included in the Burgundy Book (2000).
- (b) For the purposes of SMP, weekly pay is the average pay over the "relevant period" (usually the 8 week period before the Qualifying Week).

- (a) the lower rate of SMP, (which is the lower of: (i) 90% of your average weekly earnings or (ii) an amount periodically reviewed by the Government which, at April 2019, stood at £148.68).
- (b) In addition to (a), for the first 12 weeks of this 33 week period, under the occupational scheme you can receive up to half of your weekly pay provided that immediately following the end of your maternity leave you return to work with Aspirations for at least a 13 week period at your present contractual hours (see note (ii) below), having made a written undertaking to do so prior to the commencement of your maternity leave.

Note:

- (i) The total amount of maternity pay you receive each week cannot exceed your normal full weekly pay.
- (ii) The requirement to return to work applies for at least 13 weeks at your present contractual hours. If it is agreed that you return to work on a reduced hours basis then the number of weeks you would be required to work to retain your entitlement would be proportionately increased. If you fail to return to work for Aspirations for at least a period of 13 weeks, Aspirations will require you to repay the 12 weeks of up to half pay or the amount in those 12 weeks that you have been paid in excess of your SMP entitlement. *You may opt to ask Aspirations to hold the 12 weeks contractual pay until you have returned to work.*
- (iii) If you do not intend to return to work you may leave the employment of Aspirations any time after the 15th week before the EWC without losing your entitlement to SMP.

Other Criteria You Must Satisfy In Order To Be Entitled to SMP

You must still be pregnant at the 11th week before the baby is due or have had the baby by that time.

You must also comply with the notification requirements as set out in the section “What You Need To Do”.

(B) This section applies to employees who: -

- ◆ **have at least 26 weeks continuous service with Aspirations continuing into the QW but less than one year's continuous sector service at the beginning of the 11th week before the EWC**
- ◆ **earn the equivalent of the Lower Earnings Limit (LEL) or more**

Maternity Leave

You will be entitled to a maximum of 52 weeks maternity leave.

You can arrange for your maternity leave to commence at any time from the 11th week prior to the EWC (see further details on page 13).

Your maternity leave may continue until the end of the 52nd week of maternity leave. (If you wish to return to work before this date you are subject to notification requirements - see the section "What You Need To Do"). [Note: depending on a number of factors, including the timing of your return to work, your return to work can coincide with a period when you take holiday entitlement. If this is the case, then you would be recognised as having returned to work from maternity leave but would not have resumed work duties due to taking holiday entitlement].

Maternity Pay

For the first 6 weeks of your maternity leave period you will receive the higher rate of SMP which is 90% of your average weekly earnings (see footnote 3b on page 7).

For the next 33 weeks of your maternity leave period you will receive the lower rate of SMP (which is the lower of: (i) 90% of your average weekly earnings or (ii) an amount periodically reviewed by the Government which, at April 2019, stood at £148.68).

Note: If you do not intend to return to work you may leave the employment of Aspirations any time after the 15th week before the EWC without losing your entitlement to SMP.

Other Criteria You Must Satisfy In Order To Be Entitled to SMP

You must still be pregnant at the 11th week before the EWC or have had the baby by that time.

You must also comply with the notification requirements as set out on "What You Need To Do".

(C) This section applies to employees who: -

- ◆ **have at least one year's continuous sector service at the beginning of the 11th week before the EWC but less than 26 weeks continuous service with Aspirations continuing into the QW**

OR

- ◆ **have at least one year's continuous sector service and 26 weeks with Aspirations but earn less than the Lower Earnings Limit (LEL)**

Maternity Leave

You will be entitled to a maximum of 52 weeks maternity leave.

You can arrange for your maternity leave to commence at any time from the 11th week prior to the EWC (see further details on page 13).

Your maternity leave may continue until the end of the 52nd week of maternity leave. (If you wish to return to work before this date you are subject to notification requirements - see the section "What You Need To Do"). [Note: depending on a number of factors, including the timing of your return to work, your return to work can coincide with a period when you take holiday entitlement. If this is the case, then you would be recognised as having returned to work from maternity leave but would not have resumed work duties due to taking holiday entitlement].

Maternity Pay

For the first 4 weeks of your maternity pay period you will receive full weekly pay (see footnote 3a on page 7) in accordance with the occupational scheme. Maternity Allowance to which you are entitled in this period and is paid separately by the Department of Work and Pensions will be taken into account in calculating full pay, i.e. the payment made by Aspirations will be reduced by the amount to which you are entitled through Maternity Allowance (see note (iii) below concerning Maternity Allowance).

For the next 2 weeks of your maternity leave period you will receive 9/10th of weekly pay in accordance with the occupational scheme. Maternity Allowance to which you are entitled in this period and is paid separately by the Department of Work and Pensions will be taken into account in calculating full pay, i.e. the payment made by Aspirations will be reduced by the amount to which you are entitled through Maternity Allowance (see note (iii) below concerning Maternity Allowance).

For the next 12 weeks of your maternity leave period, under the occupational scheme you can receive up to half of your weekly pay (paid in addition to any Maternity Allowance to which you are entitled). This is subject to the condition that immediately following the end of your maternity leave you return to work with Aspirations for at least a 13 week period at your present contractual hours (see note (ii) below), having made a written undertaking to do so prior to the commencement of your maternity leave.

If you have an entitlement to Maternity Allowance from the DWP this is payable for 39 weeks in total. You would therefore receive from them a further 21 weeks of allowance following the period of occupational maternity pay.

Note:

- (i) The total amount of maternity pay you receive each week (inclusive of Maternity Allowance paid by the DWP) cannot exceed your normal full weekly pay.
- (ii) The requirement to return to work applies for at least 13 weeks at your present contractual hours. If it is agreed that you return to work on a reduced hours basis then the number of weeks you would be required to work to retain your entitlement would be proportionately increased. If you fail to return to work for Aspirations for at least a period of 13 weeks, Aspirations will require you to repay the 12 weeks of up to half pay or the amount in those 12 weeks that you have been paid in excess of your Maternity Allowance entitlement. *You may opt to ask Aspirations to hold the 12 weeks contractual pay until you have returned to work.*
- (iii) **Maternity Allowance (MA):** Subject to eligibility criteria, MA may be payable as you would not be entitled to SMP on the basis that either:
 - (a) your continuous employment with Aspirations would not have been for a period of at least 26 weeks.

OR

- (b) you do not earn the equivalent of the LEL.

You may still be eligible for Maternity Allowance if you have been employed and paid standard rate NI contributions for at least 26 weeks in the 66 week period before the EWC. In order to claim MA you will need to complete form MA1 which you can get from your local DWP, maternity clinic or child health clinic.

Upon receipt of the MAT B1 form, (issued by your mid-wife or doctor twenty weeks before your expected date of confinement), Aspirations will arrange for you to be issued with a completed form (SMP1) which will confirm you are excluded from SMP. You should take this form to your local Department of Work and Pensions, together with the completed form MA1 and your Maternity Certificate (form MAT B1).

(d) This section applies to employees who: -

- ◆ **have less than one year's continuous sector service at the beginning of the 11th week before the EWC and either (i) have less than 26 weeks continuous service with Aspirations continuing into the QW or (ii) have more than 26 weeks continuous service with Aspirations continuing into the QW *but* earn less than the LEL equivalent**

Maternity Leave

You will be entitled to a maximum of 52 weeks Maternity Leave, without pay.

You can arrange for your maternity leave to commence at any time from the 11th week prior to the EWC (see further details on page 13).

Your maternity leave may continue until the end of the 52nd week of maternity leave. (If you wish to return to work before this date you are subject to notification requirements - see the section "What You Need To Do"). [Note: depending on a number of factors, including the timing of your return to work, your return to work can coincide with a period when you take holiday entitlement. If this is the case, then you would be recognised as having returned to work from maternity leave but would not have resumed work duties due to taking holiday entitlement].

Maternity Pay

Although you will not be entitled to SMP you may still be eligible for Maternity Allowance payable by the Department of Work and Pensions (DWP) if you have been employed and paid standard rate NI contributions for at least 26 weeks in the 66 week period before the EWC.

In order to claim MA you will need to complete form MA1 which you can get from your local DWP, maternity clinic or child health clinic.

Upon receipt of the MAT B1 form, (issued by your mid-wife or doctor twenty weeks before your expected date of confinement), Aspirations will arrange for you to be issued with a completed form (SMP1) which will confirm you are excluded from SMP. You should take this form to your local Department of Work and Pensions, together with the completed form MA1 and your Maternity Certificate (form MAT B1).

GENERAL PROVISIONS

Timing of Maternity Leave

You may start your maternity leave any time between the 11th week before the EWC and the anticipated date of the birth of the baby. In addition the following conditions apply: -

- ◆ If you are absent from work due to illness for a pregnancy related reason before the notified start of your maternity leave your maternity leave will automatically start on the day following the first day of absence following from the beginning of the 4th week before the EWC.
- ◆ If your baby is born before the notified date, your maternity leave and any maternity pay to which you are entitled will start on the day following the date of the birth.
- ◆ If you decide not to return to work for Aspirations following your maternity leave you must give the notice required under your contract of employment.

Time off Work for Ante and Post Natal Care

You are entitled to reasonable paid time off from work for ante and post-natal care. If you wish to take time off you should inform your principal of your appointments, providing as much notice as possible. You are asked to endeavour to arrange appointments as near to the start or end of the working day as possible.

You may be asked to produce evidence of appointments by your principal (e.g. an appointment card).

The Right to Return to Work

Provided you have complied with the other requirements in this guidance you have the right at the end of your ordinary maternity leave period (26 weeks) to return to the job you were doing before the start of your maternity leave on terms and conditions not less favourable than if you had not taken maternity leave.

Only in exceptional circumstances (e.g. a redundancy situation or reorganisation) may suitable alternative employment be offered to you on terms and conditions not less favourable than those in your original job. At the end of the additional maternity leave period (26 weeks) you may be offered suitable alternative employment on terms not less favourable than if you had not taken maternity leave.

Keeping in Touch (KIT) Days

Keeping in Touch (KIT) days have been introduced to allow you and your manager to agree for you to come back into work for a maximum of 10 days during your maternity leave period and retain your SMP (if you are eligible for SMP) for any week in which you do so. This may be, for example, to attend a particular training course, meeting etc.

Any work you do under your contract of employment on a day will count as a whole KIT day so, if you attend for a 1 hour training session for example, you will have used up one of your KIT days. If you use up all of your 10 KIT days, you will thereafter lose a week's SMP for any week in which you work.

(If a week during your maternity leave contains one or more KIT days but no other work, you will retain your SMP for that week. However, if a week contains the last of your KIT days and another day(s) work you will lose your SMP for that whole week.)

Your Principal/manager has a 'duty of care' toward you under the Health and Safety regulations and you should ensure that your Principal/manager is aware of any condition(s) which may affect your ability to undertake your role on a KIT day, for example a Caesarean section.

A KIT day may not be taken during the two weeks of compulsory maternity leave immediately after the birth of your baby.

Where a KIT day is used for you to attend a meeting or a training session for example, this will be unpaid, however you will retain your SMP, if eligible for it, as outlined above. It may be agreed with your Principal /manager that you are paid your normal contractual pay for hours worked on a KIT day. In this case, any SMP due for that day will be offset against the contractual pay earned that day, so that you receive no more than your normal contractual pay for hours worked on a KIT day.

You will suffer no detriment because you took, considered taking or did not take KIT days.

KIT days must be agreed in advance between you and your manager. You cannot insist on your manager allowing you to come in to work nor can your manager insist that you attend work under KIT days.

In addition to KIT days, you and your manager are encouraged to stay in contact whilst you are on maternity leave, so your manager may make reasonable contact with you at home during this time to discuss such issues as your return to work, workplace developments, training and job opportunities etc. Before going on leave, you and your manager should discuss and agree these voluntary keeping in touch arrangements.

The above provision does not preclude you from coming into the workplace for the purpose of informal visits of a social nature. Informal contact during maternity leave is to be welcomed and such visits will not count toward your KIT day entitlement.

Queries about KIT days can be raised with the designated HR officer in the first instance.

ANNUAL LEAVE / HOLIDAY

The holiday year for teaching staff commences on 1st September. Teachers have the statutory right to 28 days' holiday. Schools have closure periods of 65 days per year. For teaching staff, it is considered that statutory annual leave is taken during school closure periods.

Your statutory annual holiday entitlement cannot be taken during periods of ordinary maternity leave or additional maternity leave. However, if due to taking maternity leave a teacher is unable to use her statutory holiday entitlement in a particular holiday year, she would be allowed to "carry over" the untaken statutory holiday entitlement into the following holiday year. Payment in lieu of annual leave cannot be made in circumstances where a teacher resumes her job at the end of her maternity leave.

If you believe that you will be unable to take your entitlement to statutory leave please raise this with the Principal so the matter can be considered and advice provided.

OTHER RELEVANT POLICIES

Aspirations has other policies that may be relevant for consideration during your maternity leave. These include the Parental Leave Policy, the Shared Parental Leave Policy and the Flexible Working Policy.

WHAT YOU NEED TO DO

To qualify for any statutory entitlements that are due to you, by the end of the 15th week before your EWC you must complete the "**options form**" (see pages 17-20), or provide alternative written confirmation to the Principal of the EWC, the date on which you intend your maternity leave to commence and, as applicable, the date on which you intend to return from maternity leave. You must also provide your form MATB1.

You must also notify the Principal in writing, as soon as practicable:

- ◆ if you wish to change the date that your maternity leave commences (you must give at least 21 days' notice of the revised date in order to qualify for any statutory entitlements you may have) [21 days' notice reflects Burgundy Book provisions]
- ◆ if you are absent from duty wholly or partly because of a pregnancy-related illness, and this occurs before the date previously notified for the commencement of your maternity leave
- ◆ of your child's date of birth

Unless you provide notice that you do not intend to return to work following your maternity leave (i.e. through resignation) or provide notification of an earlier return date, you shall be expected to return to work at the end of the AML period. To amend the expected return date you would need to provide written notice to the Principal by 21 days in advance of the new date if this is earlier than the original expected return date or 21 days in advance of the original expected return date if the new date is afterwards.

SOME COMMON QUESTIONS ANSWERED

Q. What happens if I am off work, sick, before my baby is born?

If you are sick but your illness is not pregnancy related you may be entitled to SSP and payment through Aspirations sick pay scheme until your intended maternity leave start date.

If, however, you are sick with a pregnancy related illness your maternity leave will start automatically on your intended maternity leave start date or on the day following the first day of absence following the beginning of the fourth week before your EWC, whichever is the earlier.

Q. How will my pension be affected?

If you are entitled to maternity pay you will automatically continue to pay pension contributions during your maternity pay period.

If you are not entitled to maternity pay or you remain on maternity leave after your pay stops, you may be able to choose to continue paying pension contributions during the period of unpaid maternity leave.

Q. What happens if I am sick on the date that I have notified my principal I intend to return to work?

If you follow the appropriate notification requirements relating to sickness absence you will be considered as having returned from maternity leave but not to have resumed work duties due to sickness absence. The sick pay scheme will apply in the normal way.

Q. Can I return to work on a part time basis?

Consideration can be given to a return to work on a part time basis but this will be subject to agreement by the Principal taking account of the academy's needs. You should refer to Aspirations Flexible Working Policy.

Q. What constitutes "a week's pay"?

For the occupational scheme "a week's pay" shall be treated as the amount payable to the teacher under the current contract of employment. If there are significant variations in the teacher's salary, the average salary over the 12 weeks preceding the date of absence shall be treated as a week's salary. This definition is based on that included in the Burgundy Book (2000).

For the purposes of SMP, weekly pay is the average pay over the "relevant period" (usually the 8 week period before the Qualifying Week).



Maternity Leave and Pay Options Form (Teaching Staff)

This form should be used to provide formal notification to the Aspirations Academies Trust (Aspirations) of:

- your pregnancy;
- the week in which your baby is expected;
- the date on which you would like your maternity leave to start
- as appropriate, the date on which you intend to return from maternity leave.

It is important that you complete the form accurately so that you receive the correct entitlements.

Guidance to help with the completion of the form is contained in the Aspirations “Maternity Provisions for Teaching Staff” document. If you have any queries, these should be raised in the first instance with the Principal or alternative identified contact within your Academy.

The completed form along with your MATB1 form should be returned to the Principal or identified contact at the Academy at least 15 weeks before your baby is expected to be born. Within 28 days of receipt of the form the Academy will write to you confirming the details of your maternity leave and pay.

1. Personal details

Name:	Pay number:
Current post and academy:	

Start date with Aspirations ⁴
Start date of continuous sector service ⁵

⁴ If your current employment with Aspirations commenced as a result of TUPE transfer, the start date with the employer from which you transferred will be the relevant date.

⁵ Start date of continuous sector service: this is either the same date as the start date with Aspirations or, if applicable, is the start date of the period of your continuous employment with one or more local authorities in England (including local authority maintained schools) or other public body listed in the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification Order 1999), where the period of such service ended immediately before the commencement of your employment with Aspirations (i.e. with no intervening gap).

Expected week of childbirth ⁶
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⁶ If your baby is due on any day of the week other than a Sunday, the expected week of childbirth (EWC) is the week that commences on the Sunday immediately preceding the due date. If your baby is due on a Sunday, the EWC is the week that commences on the due date.

2. Maternity Leave

Maternity leave may be taken for up to 52 weeks.

Please complete:

I intend to take maternity leave with effect from ⁷ :
I intend to return from maternity leave on ⁸ :

Note: unless you provide notification to show otherwise, it shall be understood that your return date from maternity leave will coincide with the end of your entitlement to 52 weeks' maternity leave.

3. Statutory Maternity Pay

(employees with over 26 weeks' service with Aspirations at the qualifying week)

If you have 26 weeks of continuous employment service with Aspirations continuing into the "qualifying week" (i.e. the 15th week before the expected week of childbirth) and you are earning above the lower earnings limit for NI contributions, you will receive Statutory Maternity Pay (SMP), as follows:-

- First 6 weeks at 90% of your average weekly earnings
- A further 33 weeks at the standard rate of SMP or a rate equal to 90% of your average weekly earnings, whichever is lower.

If you do not qualify for SMP you may be entitled to claim Maternity Allowance. Further details about Maternity Allowance and how to make a claim can be obtained from:

<https://www.gov.uk/maternity-allowance/eligibility>

Whether or not you are entitled to SMP or Maternity Allowance, you may be entitled to Occupational Maternity Pay (see section 4).

⁷ If you subsequently wish to change the date on which your maternity leave will commence, you must give at least 21 days' notice of the revised date (reflecting Burgundy Book conditions).

⁸ The intended return date you enter on the form can subsequently be varied, subject to notification requirements. Further details are provided in the Aspirations Maternity Provisions for Teaching Staff document (see section "What you need to do" on page 15). If you have made a firm decision not to return to work with Aspirations after your maternity leave, you can enter "NA" in the relevant box and you would also need to submit a separate letter to confirm your resignation.

4. Occupational Maternity Pay (employees with over 1 year's continuous sector service at the beginning of the 11th week before the expected date of childbirth)

If you have one year's continuous sector service by the beginning of the 11th week before the expected week of childbirth, you are entitled to receive occupational maternity pay *provided you return to work following your leave for a minimum period of 13 weeks* (if it is agreed that you return at a lower FTE rate than you worked prior your maternity leave the minimum period may be extended).

Occupational maternity pay is paid as follows:

- For the first four weeks, full pay offset by any payment you are entitled to receive through Statutory Maternity Pay or Maternity Allowance.
- For the next two weeks, pay is 9/10ths of full pay offset by any payment you are entitled to receive through Statutory Maternity Pay or Maternity Allowance.
- From the seventh week there are 12 weeks paid at half pay. The half pay part of Occupational Maternity Pay is paid in addition to any payment you are entitled to receive through Statutory Maternity Pay or Maternity Allowance (subject to the total payment not exceeding full pay)
- Occupational Maternity Pay finishes after the 18 week period described above, but you would continue to receive any payment due through Statutory Maternity Pay or Maternity Allowance

If you believe you qualify for Occupational Maternity Pay, please tick whichever of statement A, B or C applies. If you do not believe you are entitled to Occupational Maternity Pay, please tick statement D.

Statement A ✕

I will have completed more than one year's continuous sector service by the end of the 11th week before the date my baby is due and I will return to work with Aspirations following this. I understand that I am entitled to occupational maternity pay as long as I return to work with Aspirations for a minimum period of 13 weeks. I agree that if I subsequently decide not to return to work with Aspirations for the required period I will repay the 12 weeks' half pay.

Statement B ✕

I will have completed more than one year's continuous sector service by the end of the 11th week before the date my baby is due. I do not know at this point if I will be returning to work with Aspirations following my maternity leave and I would like the 12 weeks' half pay to be deferred until my return, if I return.

Statement C ✕

I will have completed more than one year's continuous sector service by the end of the 11th week before the date my baby is due. I do not intend to return to work following my maternity leave and understand that in these circumstances I am not entitled to the 12 weeks of half pay. **Note: if you tick statement C, this shall not be taken as confirmation of resignation. If you wish to resign from your employment with Aspirations a separate letter of resignation would be required).**

Statement D ✕

I do not believe I am entitled to occupational maternity pay.

5. Declaration

I confirm that, to the best of my knowledge, the details I have entered on this options form are accurate.

Signed:.....

Date:.....

Endnotes: