Cyngor Bwrdeistref Sirol
Blaenau Gwent
County Borough Council

Maternity Leave

ORGANISATIONAL DEVELOPMENT

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Version Control

This document is intended for:

☐ Council staff only ☐ School-based staff only ☒ Council & School-based staff

Version	Key Changes	Approved By
Apr 2020	Reformatted only	DMT
Oct 2022	Scheduled review; language/details modernised/updated and any duplication removed.	DMT
Mar 2023	Pension information updated	DMT
Aug 2024	Protection from redundancy information added	OD

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisational requirement and where the changes do not reflect a fundamental change or affect the spirit or intent of the document.

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1. Introduction

This guidance will help advise employees on their rights for maternity leave, including rights to leave, pay and the options available to help create a good work life balance.

The Council operates a scheme of maternity provisions within the framework of the Maternity and Parental Leave (Amendment) Regulations 2008 supplemented by the Joint National Occupational Scheme.

It should be used by managers and employees to plan maternity leave to ensure that the Council is adhering to all current legislation and regulations. It also provides guidance and support to expectant employees before and after their maternity leave.

It is the Manager's responsibility to work with the employee and Organisational Development (OD) to provide the best support prior to and after the birth of their child.

2. Scope

This scheme applies to **all pregnant employees** regardless of the number of hours worked per week and aims to support all employees to adapt to their new family situation.

Please note that there are differences in the policy's benefits for Teaching and non-Teaching employees (see Maternity Pay Entitlement section for further information).

For those employees expecting a child via an adoption/surrogacy arrangement, please refer to the Adoption/Surrogacy Leave Policy.

3. Employee Responsibilities

Employees should read the following information carefully, referring to the relevant section applicable to their length of service, then complete and return the Application for Maternity Benefits Form and forward to the OD Division.

An employee must ideally notify the Council that they are pregnant at the latest by the end of the 15th week before their expected date of childbirth and no later than 8 weeks before their maternity leave is due to begin.

Applications for maternity leave should be made by completing the ML1 application form within the required timescale. On this form an employee will be required to indicate:

- That they are pregnant.
- The expected date of childbirth.
- The date they want their maternity leave to begin.
- That they intend to return to work after their maternity leave, provided of course it is their intention to do so.

- If eligible for occupational maternity pay, their preferred payment option for 12 weeks half pay.
- An employee will need to produce an official certificate (MAT B1 form) issued either by their Medical Practitioner or Registered Midwife, which will state the week in which the birth of their child is expected. The MAT B1 form will be signed by a doctor or midwife and issued around the 25th week of pregnancy.
- Within 28 days of an employee's initial notification the Council will write to them stating their expected date of return from maternity leave. This date will be based on the assumption that they will take their full entitlement to maternity leave of 52 weeks from the date the absence is due to begin. Should they wish to return earlier than the date that has been agreed and notified in writing, they should comply with the relevant notification period as detailed in the section entitled 'Exercising the Right to Return to Work' and fill in form ML2.
- If childbirth occurs before the date they have notified the Council, the maternity leave period begins automatically from the day after the birth date. In that event the employee must, as soon as is reasonably practicable, give the Council notice in writing that they have given birth.

Please note that the Council cannot process an application for maternity leave until an employee provides OD with their completed application form and MAT B1 form. An employee may suffer a loss or delay in payment of any benefits if they do not meet the notice requirements.

4. Entitlement to Maternity Leave

All employees are entitled to:

- 52 weeks maternity leave.
- Paid time off during working hours for antenatal care.
- Protection under Health and Safety legislation (as per Health and Safety section below).
- Be paid Statutory Maternity Pay (SMP) (subject to qualifying conditions).
- Not to be discriminated against on account of pregnancy or maternity leave.
- Take maternity leave and return to work.
- Not be dismissed on account of pregnancy or maternity leave.
- Choose when to start maternity leave, however the absence shall commence no earlier than 11 weeks before the expected date of childbirth or from the time of childbirth if that is earlier.

5. Shared Parental Leave

Shared Parental Leave allows employees with parenting responsibilities the opportunity to share leave should they wish to do so, as long as the combined leave does not exceed a total of 52 weeks (less any maternity leave already taken). Further details can be found in the Shared Parental Leave Guidance.

6. Maternity Pay Entitlement

An employee's particular entitlement to maternity pay will depend on their length of continuous Local Government Service.

i. Employees who have completed at least 26 weeks, but less than one year's continuous Local Government Service at the beginning of the 15th week before the expected week of childbirth. Please note employees with less than 26 weeks service have no entitlement to SMP but may be eligible for Maternity Allowance from the Department of Work and Pensions.

ii. Employees who have completed at least one year's continuous service at the beginning of the 15th week before the expected week of childbirth are entitled to occupational maternity pay (please see tables below for relevant entitlement).

SMP is paid whether or not an employee intends to return to work. They will be entitled to one of two Maternity benefits depending on their earnings and length of service. The main benefit is SMP which is paid by employers. If an employee does not qualify for SMP they may be eligible for Maternity Allowance or other benefits, which are paid by the Department of Work and Pensions and not the Council. Once an employee's entitlement to SMP has been established, SMP is paid for 39 weeks unless they curtail their maternity leave before the end of the 39 week period.

- The first 6 weeks will be paid at 90% of average weekly earnings.
- The remaining 33 weeks will be paid at the prescribed flat rate, which is reviewed annually (latest rate available on the https://www.gov.uk/maternity-pay-leave/pay website), or 90% of average weekly earnings, if lower than the current rate of SMP.

To qualify for SMP an employee must:

- Have been continuously employed by the Council for at least 26 weeks continuing into the 15th week before the expected week of childbirth (this is called the Qualifying Week).
- Have average weekly earnings that must not be less than the lower earnings limit for the payment of National Insurance contributions. This is assessed at the qualifying week. The average earnings are based on the eight-week period prior to the qualifying week. Should an employee require further details please contact Payroll.
- Still be pregnant at the 11th week before the week the baby is due or have had the baby by that time.
- Provide OD with medical evidence of their pregnancy, a MAT B1 form, together with the Maternity Leave Application Form, ensuring compliance with the relevant notice periods.

If an employee does not qualify for SMP, Payroll will issue them with the SMP1 form which will explain the reason why the Council cannot pay SMP. The SMP1 Form will explain what needs to be done to make a claim to the Department of Work and Pensions for payment of Maternity Allowance.

An employee who qualifies for SMP and who leaves their job for any reason (including dismissal) is still entitled to SMP. However, if they start work for a different employer, by whom they were not employed in the qualifying week, they will not be able to receive SMP for any week they work for the new employer. If a new employment is secured then the employee will need to inform the Authority of the date of commencement and the Statutory Maternity Pay will end. No extra maternity pay is payable for multiple births.

Employees who have completed **more than 26 weeks but less than one year's continuous service** at the beginning of the 15th week before the expected week of childbirth shall have the following entitlements:

Time	What you will be paid
Weeks 1-6	**Teachers and Non-Teachers** Regardless of returning to work or not, the first 6 weeks of an employee's maternity leave will be at 90% of their average weekly earnings. This will be inclusive of SMP and/or any other allowances if appropriate.
Weeks 7-39	SMP
Weeks 40-52	Unpaid Leave

Employees who have completed **one year's continuous service** at the beginning of the 15th week before the expected week of childbirth shall have the following entitlements:

Time	What you will be paid
Weeks 1-6	**Non-Teachers** Regardless of returning to work or not, the first 6 weeks of an employee's maternity leave will be at 90% of their average weekly earnings. This will be inclusive of SMP and/or any other allowances if appropriate. **Teachers** Regardless of returning to work or not, the first 4 weeks of an employee's absence will be at full pay. The following 2 weeks will be at 90% of their average weekly earnings. This will be inclusive of SMP and/or any other allowances if appropriate.
Weeks 7-18	If an employee intends to return to work, payment will be ½ a week's pay (plus SMP or Maternity Allowance, providing it does not exceed normal full pay). If an employee does not intend to return to work, payments during this 12 week period will be their entitlement to SMP only.
Weeks 19-39	For the remaining 21 weeks an employee will receive their entitlement to SMP
Weeks 40-52	Unpaid Leave
If an employee does not return to work with the Council for a period of at least three months, they will be liable to pay back the 12 weeks half pay element of maternity pay. Payments made to them by way of SMP are not repayable.	

Please Note:
As an alternative, the equivalent amount to the 12 weeks half pay currently paid in weeks 7 – 18 may be paid on another mutually agreed basis during the paid maternity leave period. The options are specified on the application form (ML1). If an employee wanted to discuss these options in more detail they should contact Payroll.

7. The Right to Return to Work

An employee must notify the Council of the proposed date of their return to work by completing and returning the Maternity Return to Work (Form ML2) to OD. This form should be completed as soon as possible and at least 8 weeks before the day on which they propose to return. Where the notice given is less than 8 weeks the Council may postpone the return to ensure appropriate notice, but not beyond the end of the maternity leave period. Full pay will not be reinstated until the employee actually returns to work.

Employees have the right to return to the job in which they were employed under their original Contract of Employment and on terms and conditions not less favourable than those which would have been applicable to them if they had not been on maternity leave. ("Job", for this purpose, means the nature of the work which they were employed to do and the capacity and place in which they were so employed).

Where it is not practicable, because of general reorganisation or redundancy, for the Council to permit an employee to return to work in their original job, they must be offered a suitable alternative vacancy where one exists, provided that the work to be done in that post is suitable to them and appropriate to the circumstances. An employee will be eligible to be redeployed in accordance with the Council's procedures for dealing with redeployment and will be consulted about any changes to their job whilst on maternity leave.

Regardless of the length of maternity leave, employees are entitled to return to the same or an equivalent job, unless they are in a temporary post and the contract ends before the end of their maternity leave. Please note, that if an employee has been seconded or receiving an honoraria payment in relation to a higher graded position, they do not have an automatic right to return to that post/arrangement. The right to return applies to their **substantive** post.

If, because of an interruption of work (whether due to industrial action or some other reason), it is unreasonable to expect an employee to return on the notified day, they may instead return when work resumes, or as soon as reasonably practicable thereafter. If this is the case, their manager will inform them.

If there is a need to postpone their return after the end of their maternity leave period because of sickness, an employee needs to submit a medical certificate stating that they will be incapable of returning to work, before the notified date of early return or the expiry of the maternity leave period. The sickness scheme will then apply to any absence.

8. Working for another Employer during Maternity Leave

If an employee starts work for another employer whilst on maternity leave, or returns to work for an employer other than the Council after the baby is born, it is the responsibility of the employee to inform the Council. This includes part time work in which the employee is already occupied. This may affect the Council's liability to pay SMP.

9. Keeping in Touch Days

Keeping in Touch (KIT) Days can be used for a number of different reasons to facilitate a smooth return to work for an employee returning from maternity leave and to keep them up to date with changes in the department, or to attend training courses, departmental briefings, or for completing project work. A KIT day cannot be taken during the two weeks following the birth of the baby. The decision to undertake a KIT day must be made in agreement between the employee and their manager.

An employee is entitled to a maximum of 10 KIT days, where they will be paid full pay for attendance at work, less any amounts payable in respect of the maternity leave. Where an employee attends work for anything less than a full day this would count as one full KIT day. The Authorisation for Payment of Keeping in Touch Days (Form ML3) must be completed by the employee following the KIT day and signed by the Manager before being returned to OD. This will not affect the employee's entitlement to SMP.

If the 10 KIT days are used up and the employee wishes to attend work then they will forfeit their entitlement to SMP for that week.

10. General Information

Compulsory Maternity Leave

The Equality Act 2010 stipulates a compulsory minimum two week period of leave starting with the actual date of childbirth. It is unlawful for an employer to allow anyone to work during the compulsory maternity leave period.

The compulsory maternity leave period is:

- 2 weeks from the actual date of childbirth, or
- 4 weeks from the actual date of childbirth if they work in a factory, or
- a longer period in cases where there may be some other statutory requirement which means that the compulsory maternity period will last longer.

Amending the date of Maternity Leave

If at a later date an employee wanted to amend the date their maternity leave will commence, they need to notify their manager as soon as reasonably practicable and at least 4 weeks before they wanted their leave to commence. This will ensure that there is no delay in processing any maternity pay and benefits to which they are entitled to and will allow the directorate time to make any temporary staffing arrangements which may be necessary to cover their absence.

Health and Safety guidelines for expectant employees

The Council takes the health, safety and welfare of its employees very seriously. In the case of new and expectant employees there are specific guidelines and regulations that must be adhered to, including arrangements for risk assessments to be undertaken to cover such topics as manual handling, night work and welfare and rest facilities, etc.

On notifying their manager that they are pregnant a risk assessment must be carried out as soon as practically possible on an employee's current working practices. In conjunction with their manager they are required by law to complete the risk assessment form that is located on the Intranet under Health and Safety. This should be regularly reviewed as required by the employee and manager.

For further information and guidance on completing this form please contact Health and Safety, or refer to the Council's Intranet.

Relationship with the sickness scheme

If an employee is absent from work with a non-pregnancy related sickness their absence will be recorded and managed under the Attendance Management Policy. If the sickness is pregnancy related it will not count as a trigger but will still be recorded and monitored with regards to their welfare. This could include a referral to Occupational Health or an update to their risk assessment.

If an employee is absent from work for a pregnancy related illness during the 4 weeks before the start of their expected week of childbirth, their maternity leave will commence automatically even though this may be before the date they had originally planned. In this instance, their maternity leave and entitlement to SMP will start on the day after their absence begins.

If an employee is unable to return to work due to sickness at the end of their maternity leave as planned, they should notify their manager in line with the normal sickness absence reporting procedures.

Antenatal Classes

An employee is entitled to have paid time off to attend antenatal care, but must provide as much notice as possible to their Manager. This applies to all pregnant employees regardless of length of service or hours worked.

Unpaid Time Off to Accompany to Antenatal Appointments

In order to receive this entitlement the employee must have a "qualifying relationship" with the pregnant person or the expected child. The following people are covered:

- Husband or civil partner.
- Partner, including same sex partners, who live with you.

- Father or parent of the expected child.

The right is to unpaid time off of up to six and a half hours on no more than two occasions.

Annual Leave

Annual leave continues to accrue during maternity leave. An employee may decide to add annual leave to the beginning or the end of their maternity leave to extend the period of time that they are absent from work. Prior to their maternity leave, their annual leave entitlement should be calculated to plan when these days will be taken. If an employee is unsure and intends to take their annual leave at the end of their maternity leave, they must obtain authorisation from their manager at least 8 weeks before their intended date of return.

An employee should ensure that, as far as practicable, their leave is taken within the appropriate leave year. However, employees are entitled to carry over any outstanding annual leave.

Bank Holidays

An employee will receive a substitute day of paid leave for any Bank/Extra Statutory Holidays which fall during the entire period of their maternity leave. An employee should discuss this and calculate it with their manager as it will vary dependent on the time of year that they are absent. This should be completed **prior** to the commencement of their maternity leave to ensure the appropriate adjustments are made to their leave record. Should an employee decide during their maternity leave that they do not intend to return to work any outstanding leave will be paid.

Definition of a week's pay

The term 'a week's pay' for employees whose remuneration for normal working hours does not vary with the amount of work undertaken in the period, is the amount payable by the Council to the employee under the current contract of employment for working their normal hours in a week. Where there are no regular working hours, a week's pay is the average remuneration in the 12-week period preceding the date on which the last complete week ended, excluding any week in which no remuneration was received.

Pension

- **Local Government Pension Scheme (LGPS) members**

  Employees in the LGPS will have their pension account credited as normal during ordinary Maternity leave. If employees go on to reduced pay or nil pay 'assumed' pay will be added to their LGPS pension account. This means that they will still build up the same pension entitlement that they would have done if they had been working as usual.

  If an employee's pensionable earnings are reduced their LGPS contributions will be deducted from the lower pay they actually receive, using the contribution rate which applies to that lower pay band.

  An employee's LGPS pension account will also be credited as normal during any **paid** Additional Maternity leave.

If an employee takes unpaid Additional Maternity Leave, they won't build up LGPS pension during this period. However, an employee can choose to pay Additional Pension Contributions (APCs) to buy back 'lost' pension, when returning to work. Lost means the pension that they would have built up if they had been working normally during unpaid Additional Maternity Leave.

If an employee elects to pay APCs to buy back the lost pension within 30 days of returning to work, the cost is shared with the employer paying two thirds and the employee paying the remaining one third. If an employee elects after 30 days of returning to work to pay the APCs then the cost would not be shared.

An employee can find out how much it would cost to pay APCs on the following calculator:

www.lgpsmember.org/help-and-support/tools-and-calculators/buy-lost-pension-calculator/

An employee will need to enter their details including their 'Lost Pensionable Pay'. This is the pay that they would have received during any unpaid Additional leave period if they had been working normally which can be obtained from the Payroll Team by emailing HRPayroll@blaenau-gwent.gov.uk. To pay APCs to buy back the lost pension, an application form within the calculator needs to be completed and returned to the Payroll Team.

For any further information, please contact the Pensions & Technical Officer in OD:

Email: Pensions@blaenau-gwent.gov.uk
Phone: (01495) 355170

- **Teachers Pension Scheme (TPS) members**

Employees in the TPS will still build up their pension account whilst they are receiving at least half pay or they are being paid statutory family leave whilst on Maternity leave.

If an employee's pensionable earnings are reduced, the TPS contributions paid will be deducted from the actual reduced salary they receive but using the normal contribution rate that would ordinarily apply to them.

If an employee decides to take a longer break from work, after their contractual and statutory pay has expired, they will be deemed as being 'out of service'. They will be a deferred member of the TPS until they return to pensionable (active) service. This means they will not be entitled to TPS 'death in service' benefits should they die during the break.

Honorarium Payments and Secondments

Where an employee is receiving additional payments in relation to an Honorarium or Secondment arrangement, this will be included in the calculation of their maternity pay.

Increments

Incremental salary increases will not be affected by maternity leave. If a pay award is implemented within the maternity period, it will be reflected in the maternity pay.

Inability to work during pregnancy

Where an employee is incapable of continuing to do their job, or is prevented from doing so for statutory health and safety reasons (for example, the risk assessment identifies service users who pose too high a risk), then suitable alternative employment will be offered to cover this period where it is available. Where this is not possible, an employee shall refrain from work for this period on full pay.

Breastfeeding on return to work

Whilst there is no direct legal right for people in the UK to have paid or unpaid breaks to breastfeed or express milk during working hours, as an employer we have a duty of care under the Management of Health and Safety at Work Regulations 1999. This ensures that any employee who is pregnant, has given birth within the last six months, or who is breastfeeding, is entitled to a risk free working environment.

On returning to work the employee should inform their Manager in writing that they are breastfeeding so that the relevant risk assessment can be carried out. Risk assessments should be completed for employees who return to work and are continuing to breastfeed, as there may be certain risks to breastfeeding such as:

- Mental and physical fatigue due to long working hours, shift work and night work.
- Lack of adequate and appropriate nutrition and liquid refreshments at regular intervals.
- Occupational stress.

An employee has several options on how they can continue to breastfeed whilst working:

- Arrange for childcare close to work, so that they can breastfeed during breaks or before and after work.
- Express milk, so that someone else can feed their baby while they are at work.
- Ask their manager if you can work more flexibly whilst breastfeeding.

These options should be discussed and agreed with their manager.

Premature Birth

Eligibility for maternity pay is not affected when a baby is born earlier than is expected. Where a baby is born prematurely before the date an employee had planned to start their maternity leave, they should let their directorate know as soon as reasonably practicable and within 28 days of the actual date of the birth. A MAT B1 form should be forwarded to OD if this has not been done prior to the birth. If they have already forwarded the MAT B1 form then a copy of the child's birth certificate will have to be provided in order to start the maternity leave and pay. In this instance their maternity leave and entitlement to SMP will start on the day after the birth of their child. Failure to provide a MAT B1/Birth Certificate may result in maternity payments being affected.

If the employee has already started their maternity leave and the baby is born early, then the Council would simply continue to pay maternity pay in the normal way.

Death of a Baby or Stillbirth

In the situation where an employee gives birth to a child who is stillborn (after 24 weeks of pregnancy) or who dies after birth, they will still be entitled to the same amount of leave and the right to return to work. The entitlement to maternity pay also remains the same. For further information on bereavement leave in these circumstances please refer to the Schedule of Leave of Absence.

Deciding not to return

If an employee does not wish to return to work after their maternity leave they should give the Council notice that they wish to terminate their employment in line with their terms and conditions of employment.

If they do not return to work for a period of 3 months after their maternity leave then they will be required to pay back the 12 weeks at half pay if they were paid this during their maternity leave.

If an employee fails to return to work following maternity leave without producing a medical certificate or an acceptable explanation for their absence, this will be regarded as breach of their conditions of employment.

Protection from redundancy

The Maternity Leave, Adoption Leave and Shared Parental Leave (Amendment) Regulations 2024 extend the period of time during which certain employees are entitled to be offered a suitable alternative vacancy if they would otherwise be made redundant.

Pregnant employees who are not on maternity leave will be protected during the pregnancy. This applies from the date where an employee has informed the Council (verbally or in writing) of their pregnancy on or after 6 April 2024. If an employee miscarries or gives birth to a stillborn child before 24 weeks, they will be protected for 2 weeks after the pregnancy ends.

Employees whose maternity leave ends on or after 6 April 2024 will be protected throughout their maternity leave and for the remainder of the 18 month period after the date of childbirth.

11. Work Life Balance

In order to provide employees with support in balancing work and home life, the Council promotes flexible working practices and has a range of policies and procedures to offer options for those with caring responsibilities. Some of these are listed below and for further details on these policies please refer to the intranet.

Parental Leave

The purpose of parental leave is for caring for a child for whom the employee has parental responsibility. An employee is entitled to unpaid parental leave if the child is under 18 years old. To qualify for parental leave employees must have at least one year of continuous service with the Council. For more information on the conditions of parental leave please refer to the Parental Leave Policy.

Flexible working patterns
An employee can request flexible working such as a change in working pattern, part-time working, or compressed hours, all of which must be considered by the manager, taking into consideration the needs of the service. Employees and managers should refer to the Flexible Working Policy and all requests for flexible working must be made in line with this policy.

Time off for dependants
This allows a reasonable amount of unpaid time to be taken off work (usually up to a maximum of two days) to deal with unexpected or sudden emergencies. The emergency must involve someone who is a dependant of the employee.

12. Family Information Service

In order to provide additional support to parents with caring responsibilities the Council operates the Family Information Service which offers advice and guidance on all services available for 0-25 year olds. It is a one stop shop offering information on local childcare provision, children's clubs, leisure and sports activities.

The service is confidential and impartial with up to date information provided by friendly, helpful staff. The service can be contacted via:

Heart of the Valley's Integrated Children's Centre,
High Street, Blaina, NP13 3BN

Blaenau Gwent
Gwasanaethaun Gwybodaeth i Deuluoedd
Family Information Service

Telephone: 08000 32 33 39
Email: fis@blaenau-gwent.gov.uk
Website: https://www.blaenau-gwent.gov.uk/en/resident/health-wellbeing-social-care/support-for-children-families/family-information-service/

Employees who pay for childcare, may be able to get extra help with the costs. This is the childcare element of working tax credit. Help with up to 70% of childcare costs, that's 70p in every £1 spent on Registered Childcare, is possible.

For a claim pack please contact the helpline on 0845 300 3900 or www.hmrc.gov.uk to download a pack.

13. Managers Responsibilities

Below is a list of tasks that managers would be responsible for from the time that they are notified that an employee is expecting a child. There is a checklist at the end of this document that you can use to mark off when each task is completed.

On being informed an employee is pregnant:

- Complete Health and Safety Risk Assessment with the employee.

- Ensure that the employee has completed the ML1 form and has returned this to OD along with the MAT B1 form.
- Calculate what holiday entitlement the employee is entitled to and agree an appropriate time for any holidays to be taken. Any carry-over of leave will need to be included on their record. Consider relevant bank holidays to be included.
- Consider if the employee will need to attend any training sessions, team away days, etc for which Keeping In Touch Days could be utilised.
- Agree with the employee if they wish to receive any correspondence during their leave such as newsletters, job adverts, etc and decide how this will be facilitated.
- Discuss any required time off for antenatal appointments.

Preparing for the forthcoming maternity leave:

- Begin planning for how the responsibilities of the employee will be covered for the duration of the leave. This will include arranging a hand-over period, seeking adequate cover, either through a secondment or honoraria payment, using an agency worker or recruiting to backfill the position for the duration of the leave.
- Ensure that the employee informs OD and Payroll of the actual date of childbirth, if different to that stated on the ML1 form.

Whilst an employee is on maternity leave & preparing for the return to work:

- Consult on any changes in the directorate that may affect their role – do not wait until they return to work.
- If the employee has requested Flexible Working, process the application and discuss with the employee.
- Ensure that they have completed the ML2 form and submitted it to OD no later than 8 weeks prior to return to work.

14. Frequently Asked Questions

Q1. **What if the baby is born late?**
A If the baby is born later than the week in which it was due, an employee's SMP is not affected. Their maternity pay period remains the same and will be based on the date specified on their ML1 form.

Q2. **Will Display Screen Equipment have an effect on a pregnancy?**
A. There is no proven link between problems with pregnancies and the use of PCs. However, if an employee is concerned about using a PC whilst pregnant, they should discuss this concern with their Manager and their Midwife/Doctor.

Q3. **Does a period of maternity leave count as continuous service to the Council?**
A. If an employee returns to Local Government service without having worked elsewhere following a break for maternity, their paid maternity leave and authorised unpaid maternity leave will count as continuous service for sickness payments, leave entitlement. If they do not return, their last day of employment will be the last day they receive maternity pay.

Q4. **What happens if an employee wants to be informed of suitable vacancies while on maternity leave and are unable to access the website?**

A. The employee will have to express to their manager prior to their maternity leave that they wish to be informed of any vacancies. It is the manager's responsibility to keep the employee informed in their catch up meetings or by some other agreed way of communicating any changes in the work place, job opportunities, etc.

15. Maternity Checklist

Time	What Happens?	Who?	✓
Weeks 1 - 12	Confirmation of pregnancy	Employee	
	Informal discussion with Manager	Employee	
Weeks 13 - 25	Decide how much maternity leave to take (maximum 52 weeks) and what date it commences.	Employee	
	Required to give notice to manager by completing ML1 Form and returning to OD with the MAT B1 form.	Employee	
	Calculate Bank Holiday entitlement in accordance with time of maternity leave.	Manager and Employee	
	Calculate annual leave entitlement and decide when to take (prior to maternity leave, added onto maternity leave either before or after birth of child, or carry-over of full entitlement to next leave year).	Manager and Employee	
	Complete risk assessment forms found on the intranet.	Manager and Employee	
	Notify manager of any antenatal care appointments.	Employee	
	OD will write to the employee confirming the agreed maternity leave dates.	OD	
Weeks 25 - 39	Arrange any cover during maternity leave.	Manager	
Weeks 31 - 39	Discuss whether any equipment such as laptop or mobile phone needs to be returned for the duration of the maternity leave.	Manager and Employee	
	Hand over any work prior to maternity leave.	Manager and Employee	
Week 39	If the baby is born before the maternity leave start date stated on the ML1 form, the first day of maternity leave will be the day after the birth. **Payroll Section will need to be informed.**	Employee to notify Manager	
After the Birth	Ensure any changes in the directorate that will affect the employee are communicated to the employee.	Manager and OD	
	Decide on use of Keeping in Touch Days (KIT) during maternity leave (max 10 days). Complete ML3 form and return to the OD.	Manager and Employee	
8 Weeks prior to return	Submit/consider/process any requests for Flexible Working.	Employee, Manager & OD	
	Complete ML2 form and return to OD to confirm date of return to work.	Employee	

FORM ML1

Application For **Maternity Benefits**

Cyngor Bwrdeistref Sirol
Blaenau Gwent
County Borough Council

THIS FORM SHOULD BE COMPLETED AND RETURNED TO HRpayroll@blaenau-gwent.gov.uk
WITH THE MAT B1 FORM

SECTION 1 – PERSONAL DETAILS

Full Name:

Home Address:

Telephone Number: Home: Work:

Designation:

Place Of Work:

Staff Number:

N.I. Number:

SECTION 2 – DECLARATION

Having read the Maternity Policy, I hereby notify you that I am pregnant and the date that I wish to start my maternity leave. I confirm my manager has been informed of the following dates:

Expected date of Childbirth:

Date Maternity Leave Commences:

Do you intend returning to work at the end of your Maternity Leave Period?
(*for a period of at least 3 months)

☐ Yes* ☐ No

If eligible for the 12 weeks occupational half pay what is your preferred payment option? (please tick as appropriate)

☐ 12 weeks in equal payments

☐ 33 weeks in equal payments

☐ 20 weeks in equal payments

☐ Lump sum payment at the end of your Maternity Leave

If you are taking unpaid Maternity Leave, would you want to pay back Additional Pension Contributions (APC's) on the unpaid leave? (LGPS Only) *deducted at 1/3 employee; 2/3 employer*

☐ Yes ☐ No

Do you currently use Computershare Childcare Vouchers?
If yes, please contact Payroll immediately for advice on when to withdraw from the Scheme.

☐ Yes ☐ No

Signed: Date:

ORGANISATIONAL DEVELOPMENT ONLY

Start of Maternity Leave: Date Of Return:

FORM ML2

Maternity
Return to Work

Cyngor Bwrdeistref Sirol
Blaenau Gwent
County Borough Council

THIS FORM SHOULD BE COMPLETED AND RETURNED TO HRpayroll@blaenau-gwent.gov.uk WITH AT LEAST 8 WEEKS NOTICE GIVEN OF THE INTENTION TO RETURN TO WORK

SECTION 1 – PERSONAL DETAILS

Full Name:	
Home Address:	
Telephone Number: Home:	Work:
Designation:	
Place Of Work:	
Staff Number:	
N.I. Number:	

SECTION 2 – DECLARATION

Please note that your Maternity Leave has to end on the same week day as it started e.g. Monday.

I confirm that I wish to return to work on the following date:

Signed: Date:

ORGANISATIONAL DEVELOPMENT ONLY

Date of Return:

FORM ML3

Authorisation for Payment of **Keeping In Touch Days**

Cyngor Bwrdeistref Sirol
Blaenau Gwent
County Borough Council

THIS FORM SHOULD BE COMPLETED AND RETURNED TO HRpayroll@blaenau-gwent.gov.uk

SECTION 1 – PERSONAL DETAILS

Full Name:	
Home Address:	
Telephone Number: Home:	Work:
Designation:	
Place Of Work:	
Staff Number:	
N.I. Number:	

SECTION 2 – DECLARATION

In line with the Maternity Policy I wish to notify you that I attended work on the date(s) stated below:

Reason for the Keeping in Touch Day(s):

Employee's Signature:		Date:	
Manager's Signature:		Date:	