



Coppice Junior School

# Maternity Policy (Non Teaching)

**Policy ratified and adopted by Full Governing Body:** October 2022

**Review frequency:** Annually

**Policy due for renewal:** October 2023

\_\_\_\_\_  
Headteacher                      Mark Knowles                      \_\_\_\_\_                      Date

\_\_\_\_\_  
Chair of Governors                      Jo Bromige                      \_\_\_\_\_                      Date

SOLIHULL METROPOLITAN BOROUGH COUNCIL

# MATERNITY SCHEME

## (Core Council staff)

- (1) This policy sets out the terms of agreement reached by those participating in the Council's Consultation and Negotiating Framework.

**For School's (e.g. some Academies) not participating in the Council's Consultation and Negotiation Framework**

- (2) This Model Policy was provided by the Solihull School's HR Service. The school must undertake negotiation and consultation with the relevant Trade Union/Staff Association representatives before this policy is adopted by the School Governing Body. Advice is available from your HR provider on how to undertake this, if required.

## MATERNITY SCHEME

**Current version:** 6.7

**Document type:** Final

**Prepared by:** Human Resources

**Review date:** April 2022

**Circulation:** All employees / Intranet/ Extranet

### Document revision dates

Version	Date	Reason for change
6	April 2018	Updated new SMP rates GDPR statement added to policy and form Added clarification to section 7 'non return to duty'
6.1	July 2018	Addition of bank holidays to section 4 under 'Annual leave'
6.2	March 2019	Updated new SMP rates Updated childcare vouchers section
6.3	May 2019	Updated to include the new Employee Assistance Programme details
6.4	March 2020	Updated pension section. Extra information added to section 4 – annual leave accrual for term-time staff Updated new SMP rates for April 2020
6.5	November 2020	Replaced grievance process with Resolution process in section on page 14
6.6	April 2021	Updated new SMP rate
6.7	April 2022	Updated new SMP rate and EAP helpline number

Please contact your HR Advisor for further discussion in the application of this policy.

## PREFACE

Looking forward to and looking after a new baby is a busy and exciting time. This booklet aims to guide you through what can appear complex and explain what maternity leave you are entitled to, information on maternity leave and your return to work.

The maternity scheme applies to all pregnant employees, regardless of length of service or number of hours worked per week.

Nothing in this guidance shall be construed as providing less favourable terms than statutory rights, is in line with the NJC (National Joint Council) Green Book and will ensure that no woman receives less favourable treatment on the grounds of being pregnant, during maternity leave or on return to work as a new mother. Separate guidance is available for employees on Teachers terms and conditions.

Human Resources (HR) will always be happy to help with any particular questions or queries you may have. Please do contact us for further discussion in respect of the application of this policy.

Solihull MBC offer a free and confidential information, support and counselling service for employees, the [Employee Assistance Programme](#) run by Health Assured. The service gives employees a place to turn for support any time of day or night, 365 days a year. Support is available for whatever issues you might be facing; personal or work-related problems including parenting issues, stress, depression, medical issues, marriage and relationship issues, financial and tax problems and more. To use the confidential service employees can contact the freephone number **0800 028 0199**, the email facility on their website or via the instant web chat facility via the website: [www.healthassuredeap.co.uk](http://www.healthassuredeap.co.uk) using the login in details:

Username: **Solihull**

Password: **MBC**

In addition, professional and trade union associations are also able to offer support and information.

If you work for **Core** Council, i.e. you get paid on the 15<sup>th</sup> of the month, the HR team's contact details are:

Payroll & HR Administration – Corporate Services  
Employee Service Centre  
Council House Manor Square  
Solihull  
West Midlands. B91 3QB

Tel: 0121 704 8730 (hunt number)

Email: [payandhradminendi@solihull.gov.uk](mailto:payandhradminendi@solihull.gov.uk)  
[payandhradminchildrens@solihull.gov.uk](mailto:payandhradminchildrens@solihull.gov.uk)  
[payandhradminadults@solihull.gov.uk](mailto:payandhradminadults@solihull.gov.uk)  
[payandhradminpublichealth@solihull.gov.uk](mailto:payandhradminpublichealth@solihull.gov.uk)  
[payandhradminresources@solihull.gov.uk](mailto:payandhradminresources@solihull.gov.uk)

Or if you work in a **school**:

Payroll & HR Administration – School Services  
Employee Service Centre  
Council House  
Manor Square  
Solihull  
West Midlands. B91 3QB

Tel 0121 704 8726 or 8727

Email [schoolshrea@solihull.gov.uk](mailto:schoolshrea@solihull.gov.uk) or [schoolshreb@solihull.gov.uk](mailto:schoolshreb@solihull.gov.uk)

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# SECTION 1 MATERNITY DEFINITIONS

The following outlines some of the terms that are used in this document:

<b>EWC</b>	<b>Expected Week of Childbirth.</b> This is the expected week the baby will be born.
<b>OML</b>	<b>Ordinary Maternity Leave.</b> The first 26 weeks of Maternity Leave (weeks 1-26)
<b>AML</b>	<b>Additional Maternity Leave.</b> The second 26 weeks of Maternity Leave (weeks 27-52)
<b>SMP</b>	<b>Statutory Maternity Pay-</b> this amount is set annually by the Government.
<b>SSP</b>	<b>Statutory Sick Pay.</b>
<b>OMP</b>	Occupational Maternity Pay
<b>LEL</b>	Lower Earnings Limit
<b>MATB1 form</b>	A Maternity certificate issued from your midwife or medical practitioner confirming that you are pregnant and your EWC. This is usually issued around the 20 <sup>th</sup> week before EWC.
<b>Job</b>	The nature of the work which you are employed to do and the capacity and place in which you are employed.
<b>Childbirth</b>	Childbirth means the birth of a living child, or the birth of a child whether living or dead after 24 weeks of pregnancy.
<b>Average Weekly Pay</b>	The amount payable to you under your current contract of employment. If there are significant variations in your salary, please contact HR
<b>Qualifying week</b>	15 <sup>th</sup> week before the Expected Week of Childbirth
<b>Set period (SMP)</b>	This is the last eight weeks pay before the Saturday of your Qualifying Week. This is used to calculate your average weekly pay for SMP purposes
<b>HR</b>	Human Resources
<b>SMP1 form</b>	Issued by HR if you are not entitled to SMP and for you to take to your local Job Centre Plus

## 2022-2023 rates (from 3 April 2022)

SMP (standard rate)	£156.66
LEL	£ 123

## SECTION 2 NOTIFICATION OF PREGNANCY

### FROM YOU

You are encouraged to notify Human Resources (HR) and your manager about your pregnancy, as soon as possible, but no later than the qualifying week (which is the 15<sup>th</sup> week before the Expected Week of Childbirth). This will allow you to establish what financial support you are entitled to and enable a risk assessment to be carried out to protect the health, safety and welfare of you and your unborn child.

Solihull MBC also requires the following information and documents, otherwise your SMP (Statutory Maternity Pay) will be affected: -

- An **original** MATB1 form.
- A completed MS1 form (found in Appendix ONE) **at least 28 days** before you wish to start your maternity leave.

You will notice that the MS1 form asks about your choice of option with regards to the occupational maternity pay scheme. This is a scheme in which Solihull MBC pays an additional 12 weeks at half pay on top of the statutory scheme. Section 5 of this booklet will explain this further and outline any conditions that apply.

**Please send your MS1 and original MATB1 directly to the Payroll & HR Administration team or via your line manager, who will forward it on to us.**

If you have chosen a maternity leave start date, but then you wish to change your mind, please let us know at least 28 days before the revised start date or 28 days before the original date that you chose, whichever of these two dates is the earlier.

### FROM US

Within 28 days of receiving your MS1 form you will receive notification from HR confirming your expected return date; this date will be 52 weeks from your maternity leave start date.

### DATA PROTECTION

When managing your maternity leave and pay, the Council/school processes personal data that has been collected in accordance with its data protection policy. Data collected from the point at which you inform the Council/school that you are pregnant is held securely and accessed by, and disclosed to, individuals only for the purposes of managing your maternity leave and pay.



Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's/school's data protection policy. It may also constitute a disciplinary offence, which will be dealt with under the Council's/school's disciplinary procedure.

## **SECTION 3 ANTE-NATAL CONSIDERATIONS**

### **Time off for ante-natal care**

If it has been recommended by a medical practitioner, midwife or health visitor, you have the right to reasonable paid time off for ante-natal care, which may also include relaxation and parent-craft classes. Other than in the case of your first appointment, you must produce evidence of the appointments, if requested by your manager. You should give your manager as much notice as possible of the appointments and try to arrange them as near to the start or end of the working day.

### **Health and safety**

If there is a work activity, which could involve a risk to you or your baby, a risk assessment must be carried out to identify these risks, please see [Model New and Expectant Mother Risk Assessment](#).

Adjustments may need to be made to your job but if this is not practicable, you may be offered alternative work. If this alternative work is not feasible and as long as you do not unreasonably refuse, you may be placed on leave on full pay until the risk has passed.

If you have issues which impact on your ability to work, your line manager can make an Occupational Health referral to obtain appropriate medical advice.

### **Car parking (those located at the Council House)**

Six weeks before you leave for your maternity, you can request access to the car park area around the Council House. You will need to complete a form called "Car Park Access" (Car park access form) and follow the appropriate instructions. You are advised to do this in plenty of time.

If you encounter health problems linked to your pregnancy which requires you to have access prior to six weeks before your maternity leave date, you may be able to park earlier at the Council House if you have the appropriate medical notification from your Doctor/ midwife/ Occupational Health.

### **Rubella**

If, you work at a school or child care setting and in the early months of pregnancy you are advised by an approved medical practitioner that you should be absent because of the risk of rubella, you will be granted leave with full pay, provided that you have not unreasonably refused work in another setting where there is no risk of infection.

### **Pregnancy Related Illness and Miscarriage**

If you are absent because of a pregnancy related illness, including a miscarriage which has happened before 24 weeks' pregnancy, this will be treated as sickness absence which falls within the Sickness Absence Management policy; absence of 8 calendar days or more will need to be covered by a Doctor's note.

If, after the beginning of the 4<sup>th</sup> week before the EWC, you are sick for a **pregnancy related reason**, then your maternity leave and pay will start automatically. If this is the case, you should notify HR in writing of this as soon as you can.

## **SECTION 4 - LEAVE CONSIDERATIONS**

You are entitled to 52 weeks Maternity Leave regardless of your length of service. Maternity leave is not treated as sick leave and will count towards your continuous service with Solihull MBC.

### **Maternity leave**

The earliest you can start your maternity leave is 11 weeks before the EWC but you have the option to decide on your maternity leave start date, which can begin on any day of the week. SMP will start on that day.

If your baby is born **before** your chosen maternity leave date, your maternity leave and SMP will automatically start on the day after childbirth. You will need to notify HR in writing as soon as is reasonably practicable to ensure that your pay will be accurate.

### **Premature birth**

If your baby is born alive before 24 weeks of the pregnancy, the day after the childbirth will be the first day of the maternity leave. Even in the unfortunate situation where the baby subsequently does not survive, maternity leave including maternity pay will still apply as a live birth did take place, even though it was before 24 weeks. You will need to let your line manager or HR know of this as soon as is reasonably practicable.

Please also refer to the Parental Bereavement Leave section of the Leave of Absence policy on the Intranet/school extranet.

### **Stillbirth**

We recognise that the situation of stillbirth is upsetting for all those involved and if your baby is stillborn after 24 weeks of pregnancy, your maternity leave will begin on the day following the childbirth. If, however, your child is stillborn within the first 24 weeks of your pregnancy, you will not be entitled to maternity leave. In these circumstances normal sickness absence management will apply (please see the Sickness Absence Management policy and Leave of Absence policy on the Intranet / School's Extranet).

### **Late births**

If your baby is born after the EWC, your Statutory Maternity Pay would start on the first day of your maternity leave.

### **Annual leave**

Annual leave entitlement and bank holidays will continue to accrue at the rate provided under your contract.

It is important that support staff who are on term-time only contracts understand that you will have annual leave to take as you will accumulate annual leave entitlement during your maternity leave. Therefore, the Business Manager at school should discuss with the HR Advisor the annual leave entitlement that the staff member will need to take.

It is important that you discuss your holiday plans with your line manager/ Headteacher in good time before starting your maternity leave.

You are encouraged to take any outstanding holiday due to you before the commencement of maternity leave.

If your maternity leave continues into the next holiday year, any holiday entitlement that cannot be reasonably taken before starting your maternity leave can be carried forward to the new leave year, as an exceptional circumstance, but must be taken immediately before returning to work from maternity leave or unless otherwise agreed with your line manager/ Headteacher.

If you give birth whilst you are on annual leave, your annual leave will cease and your maternity leave will start on the day following the childbirth. Any annual leave days that you have been unable to take, can be taken after your maternity leave ends.

Where it has been agreed that you return to work on the basis of reduced hours, you will be entitled to annual leave on a pro-rata basis with effect from the date you return to reduced hours.

For term-time working, please use the Term Time Only Guidance on the Intranet/school Extranet for further details about annual leave calculations and accrual of leave.

### **Sickness**

Sickness payments will automatically and immediately cease whenever Maternity Leave and Statutory Maternity Pay/ Maternity Allowance commences.

### **Shared Parental Leave**

You may wish to consider, depending on whether the eligibility criteria is met, to curtail your maternity leave and choose to convert it to Shared Parental Leave and Pay which can be taken by both yourself and your partner.

Shared parental leave enables mothers to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date.

Please refer to the Shared Parental Leave policy on the Solihull MBC Intranet/School's Extranet for further details.

### **Parental leave**

There is also an opportunity, dependant on your length of service, for you to take advantage of the right to unpaid parental leave of up to 4 weeks at the end of your maternity leave; the parental leave scheme is on the Solihull MBC Intranet/School's Extranet, or is available from HR.

## **SECTION 5 - PAY**

### **What is Statutory Maternity Pay?**

Statutory Maternity Pay (SMP) is paid to you whether or not you decide to return to work after maternity leave, but is dependent on your earnings and length of service. The rate for SMP is a flat weekly rate and is adjusted annually.

To be eligible for SMP you need to have

- earnings of more than the lower earnings limit during the set period (current rate and definitions on page 4)
- continuous service of more than 26 weeks at the end of the qualifying week (i.e. 15 weeks before your baby is due)
- informed us following the guidelines set out in section 2 (see page 5)

If you are entitled to SMP, this is payable for a maximum of 39 weeks which can start on any weekday, but cannot start before the 11<sup>th</sup> week before the EWC, unless the baby is born prematurely.

**There are two levels of SMP. There is a standard rate and a lower rate. If the standard rate is more than 90% of your weekly salary, your SMP will be 90% of your weekly pay and not the standard rate.**

### **What if I am not entitled to SMP?**

If you are not entitled to SMP, you will be issued with a SMP1 form by HR. You should take the SMP1 with your MATB1 form to your local Job Centre Plus Office, as you may be able to claim for Maternity Allowance which is paid for by the Government.

**Does taking strike action affect my entitlement to SMP?** If you have 26 weeks' continuous service at the end of the qualifying week, but have taken strike action during those 26 weeks, the week in which you take the action does not

count towards you qualifying for SMP. Therefore, you will not be entitled to SMP. This will only affect recent employees.

### **What happens if I resign or am dismissed before my maternity leave?**

If you resign or you are dismissed, after the 11<sup>th</sup> week before EWC, provided you are eligible, your SMP will start on the day after your job ends.

If you resign or you are dismissed between the 15<sup>th</sup> and 11<sup>th</sup> week before the EWC and if you are eligible to SMP, you will receive SMP when you reach the 11<sup>th</sup> week before the EWC.

### **Solihull MBC's Occupational Maternity Scheme**

If you have completed **one year or more continuous local government service 11 weeks before the EWC**, you are entitled to receive 12 weeks half pay on top of the statutory pay scheme. This is called the Occupational Maternity Scheme.

Even if you do not earn enough to receive SMP, as long as you have the relevant continuous service, you will be eligible for the Occupational Maternity Scheme.

The 12 weeks' half pay can be paid out in 2 options:

- Option 1      Half pay lump sum on return to work.
- Option 2      Half pay on weeks 7-18 and no balance on return to work.

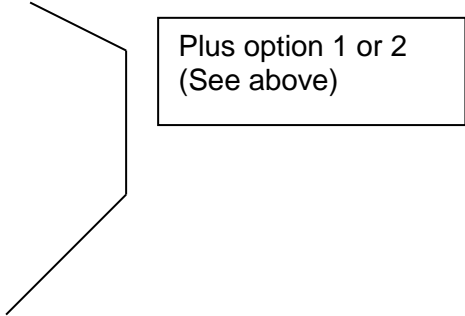
Be aware that if you choose option 2, the total of your SMP and half pay during weeks 7-18 must not add up to more than your normal weekly full rate of pay. If this is the case, the sum will be scaled down to 100%.

A qualifying condition to this occupational maternity pay, is that you must return to your job for at least 13 calendar weeks (including periods of school closure), otherwise all or part of the 12 weeks half pay must be refunded to Solihull MBC. If you are unsure whether you will return to work, it might be wise to choose option 1.

N.B. It is 13 calendar weeks, regardless of the number of days worked per week and does **not** include parental leave.

### **Schedule of Pay**

WEEKS 1-6	6 weeks at 90% average weekly pay (see page 4 for definition)
WEEKS 7-39	Statutory Maternity Pay
WEEKS 40-52	Unpaid Leave



Plus option 1 or 2  
(See above)

## **Statutory scheme**

- (i) If you have 26 weeks' service but less than one year's continuous service by the 15<sup>th</sup> week before the Expected Week of Childbirth the statutory maternity entitlement is as follows:

WEEKS 1-6	6 weeks at 90% of average weekly salary
WEEKS 7-39	Statutory Maternity Pay
WEEKS 40-52	Unpaid Leave

- (ii) If you have less than 26 weeks' continuous service by the 15<sup>th</sup> week before the Expected Week of Childbirth will have an entitlement to:

- 52 weeks' unpaid leave

You may be entitled to some benefits during this unpaid period. To check your eligibility, you should forward your MATB1 and MS1 form to HR (address details can be found on page 2).

## **PENSION CONTRIBUTIONS**

If you are a member of the Local Government Pension Scheme (LGPS)/ NHS Pension Scheme, we will make employer pension contributions during any period of paid Maternity Leave. This will be based on the contribution rate effective at the time and will be based on assumed pensionable pay (APP). APP is calculated on the contractual pay that would have been received if the employee was on normal unreduced pay and is based on 3 months' pay (full months) received prior to the date the employee went on to reduced pay annualised up. The employee will pay contributions on the amount of pay actually received.

During any unpaid period of Maternity Leave, LGPS/NHS employees may elect to buy any or all 'lost' pension through an Additional Pension Contribution (APC). If this is done within 30 days of returning to work the Council/ School shall pay two thirds of the cost of the APC (a shared cost APC) and you will pay the remaining one third. If you make your election past the 30-day deadline the Council/ School will not make a contribution to the APC and the full cost has to be met by yourself. Where you choose to stop contributions during the same period this will not count towards reckonable service for pension purposes until contributions are resumed.

## **CONTRACTUAL BENEFITS**

You are entitled to all normal contractual benefits during paid Maternity Leave (except normal pay/salary and sick pay - see Section 5). However, during any unpaid period, if applicable, your contractual rights and obligations will remain the

same as if you had exhausted your occupational sick pay. For example, the main requirements would be:

- Notice periods
- Redundancy payments
- Disciplinary and Resolution procedures
- Duty of trust and confidence
- Duty of good faith
- Leave (see Section 4)

All statutory rights will be upheld.

Any existing salary sacrifice arrangements cannot be amended during the maternity leave period.

## SECTION 6 - DURING MATERNITY LEAVE

### **Keeping in touch days**

You can work for up to 10 mutually agreed days without bringing your maternity leave to an end. These days are known as “Keeping in Touch” (KIT) days. The 10-day maximum is the same regardless if you work on a full or part time basis.

Work done in a “Keeping in Touch” day is any work done under your contract of employment and may include training or any activity undertaken to “Keep in Touch” with the workplace. If, for example, you attend a three hour training session to “keep in touch”, you will have used one of your 10 KIT days.

You will receive your normal pay for these “Keeping in touch” days on a pro rata basis, even during unpaid maternity leave. If you decide to attend a “Keeping in Touch” day whilst you are receiving SMP and/or OMP, then this will be offset against your normal pay for the day. This should not add to more than full pay on any of these days.

Keeping in Touch days can be worked either before or after the birth. However, there is a period of two weeks following the birth of your child where, by law, you are unable to carry out any work. This is called the compulsory maternity period.

If you work more than the allocated 10 days, you will lose your SMP for any work done in that week. Your line manager must inform HR if this situation arises.

Your line manager will need to send your KIT dates on an email or electronic C288 to the HR Pay & Administration team so that your pay can be adjusted appropriately.

It would be good practice prior to starting maternity leave to have a conversation with your manager to investigate the opportunities and protocol that may arise for any opportunities for KITs in the future.

### **What if you do not want to work a “Keeping in Touch” day?**

There is no requirement for you to undertake work. Your manager cannot insist that you carry out any work and if they do, you are protected from suffering any detriment or being dismissed for refusing to do so. Equally, you cannot insist on being given any work to do if there is no appropriate work in your department. Any “Keeping in Touch” day should therefore be through mutual agreement.

If you decide to work a “Keeping in Touch day” this does not mean that your maternity leave will be extended.

### **Reasonable contact**

You and your line manager, or designated member of staff, are actively encouraged to make reasonable contact during maternity leave to discuss such issues as your return to work, special arrangements to be made or update you on opportunities at work whilst you are on leave.



Reasonable contact does **not** constitute 'work', does not count towards the ten "Keeping in Touch" days and will not bring your maternity leave period to an end. Also, there is no reason why you should be available for reasonable contact at all times of your maternity leave.

### **Restructure/ Reorganisation**

If, whilst you are on maternity leave and your department is involved in any restructure or reorganisation, you must be informed of this and given the opportunity to become involved in the process in accordance with the Management of Change policy (available on the Intranet / School's Extranet).

## **SECTION 7 - POST MATERNITY AND RETURNING TO WORK**

### **Returning to work**

It is for you to decide your return to work date, as long as it is not within two weeks of childbirth. Unless you choose an earlier return date, Solihull MBC will assume that you will return to work on the first working day after the end of 52 weeks.

If, however, you intend to return before the end of the 52 weeks' maternity leave, you must notify your manager and HR in writing at least 8 weeks before the intended return date. You can change your mind with respect to your return date as long as you provide similar notice.

If you return to work at the end of your Ordinary Maternity Leave, you are entitled to return to your original post as if you had not been absent, unless the job has been made redundant; you will, however, be offered a job on no less favourable terms and conditions.

If you return to work after Additional Maternity Leave, you are entitled to return to your original post. However, if it is not reasonably practicable, then a similar job on no less favourable terms and conditions must be offered.

### **Risk assessment**

A further risk assessment will be undertaken if you return to work within six months of birth, or are breastfeeding. If you continue breastfeeding beyond six months, then notify your line manager so that any risks can be assessed and thus avoided.

### **Unable to return to work- medical reasons**

If you are unable to attend work at the end of your maternity leave because of sickness, then you will need to produce a medical certificate and normal reporting and contractual arrangements for sickness absence will apply (see Sickness Absence Management Policy on the Intranet / School's Extranet).

### **Part Time and Flexible Working**

Employees who have worked for SMBC for more than 26 weeks at the time of application, have the right to **request** flexible working. This request must be in writing and should identify the proposed hours, work pattern or working arrangement, the intended start date of this new work arrangement and provide a rationale on how the new working pattern can be accommodated.

However, it is not an automatic right for you to work flexibly as there can be circumstances where your department cannot accommodate your desired working arrangement.

The aim of the request is to facilitate discussion and encourage both yourself and your manager to consider flexible working arrangements and find a solution that suits you both.

If you are considering requesting a change to your working hours when you return from maternity leave, then it is recommended that you speak to your manager and complete the flexible working form as soon as possible. It can take up to three months to consider your request and to make a decision, so it is important to plan ahead.

The flexible working policy and form are available on the Solihull MBC Intranet/ School's Extranet sites. You can also contact your HR Advisor for further advice.

### **Childcare vouchers / Tax-Free Childcare Scheme**

The Government closed the Childcare Vouchers scheme to new entrants on 4th October 2018 and so employees are no longer able to join the Edenred scheme. Existing members will continue to receive childcare vouchers as they do now as long as their child remains eligible\*, they stay with the same employer, and they have had a salary sacrifice adjustment to their pay and received vouchers within any 12-month period.

*\*Eligibility will end 1st September after the child's 15th birthday, or 1st September after their 16th birthday if they are disabled.*

For existing members of the Edenred scheme, information on the scheme can be found on [www.childcarevouchers.co.uk](http://www.childcarevouchers.co.uk) in the parent section or by contacting the Edenred helpdesk by calling 0800 247 1233.

For new parents, or parents who did not join the voucher scheme, the government offer a form of childcare funding support for working parents, called **Tax-Free Childcare (TFC)**.

Tax-free childcare gives eligible families up to £2,000 free per child towards childcare costs. Tax-free childcare is a Government-backed scheme which helps parents with the cost of childcare. The scheme gives eligible families an extra 20% towards childcare costs. The scheme's available to parents of children up to and including the age of 11 (or until they turn 17 if you've children with disabilities).

Some people who are currently receiving childcare vouchers might be better off claiming tax-free childcare instead. If you're thinking of switching, it's important you see how much you'd get which each scheme before switching, as you can't go back to vouchers once you've moved over to tax-free childcare.

To find out more about which option is best for your own circumstances, there is a useful document on the Edenred website: '[A parent's guide to childcare vouchers and tax-free childcare](#)'.

For more information and eligibility criteria on the government's Tax-Free Childcare scheme please visit <https://www.childcarechoices.gov.uk/> or <https://www.gov.uk/tax-free-childcare>.

### **Non-return to duty and resignations**

If you have received Solihull MBC's Occupational Scheme (OMP) of 12 weeks half pay, but have decided not to return to your job, or you return to your job and then wish to resign, if this is less than 13 calendar weeks from your return date, you will be required to repay all or part of your half pay.

In exceptional circumstances, where you are not able to complete all of your 13 weeks' employment on return to work for reasons outside of your control, you will be required to repay part of the OMP. For example, if you work 7 weeks of the 13 weeks, you will repay the difference of 6 weeks.

If you return to work on different hours following a flexible working request, you will still need to complete 13 calendar weeks upon return, based on your new hours.

**(N.B.** you do not have to repay any Statutory Maternity Pay that may have been paid to you by SMBC).

If you are based in an SMBC school, you can return to another maintained school within the Solihull Council Local Authority on return from maternity leave and will not have to repay the 12 weeks half pay (provided you have completed 13 weeks' employment upon return – see above).

However, if you return from maternity leave and work within a different Local Authority, you will no longer be entitled to the 12 weeks half pay. Occupational payments will therefore need to be repaid.

If you move to or from an Academy, you will need to check with the Academy or Human Resources about OMP. This is because the Academy is the employer and may have arrangements that differ from those contained within this policy.

If you decide to resign, you must give the relevant contractual notice.

**APPENDIX ONE**

<b>SMBC - NOTIFICATION OF MATERNITY LEAVE- MS1 form</b>
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Surname:	Forenames:	Directorate or School:	Employee No:
Address:		Work Tel No:	
Home Tel No:		Work email address	
Home email address		Local Government Start Date:	

Thank you for informing the Council that you are expecting your baby. Please complete this form and return it to me as soon as possible, but at least 28 days before starting maternity leave, in order to establish your entitlements.

- 1) I wish to confirm that I am taking leave of absence to have my baby and will **commence my maternity leave on:**  
 (Maternity leave can commence on any day of the week).

Day	Month	Year

- 2) My expected date of childbirth is:

Day	Month	Year

- 3) I enclose an **original** copy of a certificate giving the expected date of my childbirth as issued by my Doctor/Midwife **(MATB1)**. YES  NO

Note: If you are not sending the certificate at this time, please forward it as soon as possible.

- 4) Will you have 12 months' continuous local government service 11 weeks before the date at (2) above? **(If YES, please read and complete this section. If NO, go to (5) overleaf)**

You appear to qualify for the Council's occupational maternity scheme, which provides for half pay on top of your statutory maternity pay between weeks 7 and 18 (inclusive) of your paid maternity leave. You must return to work for 13 weeks following paid or unpaid maternity leave, otherwise you will have to repay the extra salary paid. You have two options as to how this pay is received. Please tick the appropriate box.

- OPTION ONE** – To receive the half pay as a lump sum payment on your return to work
- OPTION TWO** – To receive half pay between weeks 7 and 18 of paid maternity leave with no balance due on your return to work

**Note: If you fail to tick one of the above options, the Council will pay you the Option One arrangement**  
 The Council will assume you will be returning to work after 52 weeks' maternity leave.

If you wish to return to work before the expiry of your leave, please write to the HR Employee Service Centre at least 8 weeks before your intended start date.

Maternity leave is compulsory for the 2 weeks immediately after the child is born. **[Now, sign the employee declaration below]**

5) Will you have less than 12 months' continuous local government service 15 weeks before the date at (2) above? **(If YES please indicate which of the below categories you fall into)**

- a)  **Less than 12 months but more than 6 months**  
You appear to qualify for the Statutory Maternity Scheme if your earnings are more than the Lower Earnings Limit for National Insurance (see Appendix 1).
- b)  **Less than 26 weeks**  
Employees with less than 26 weeks' continuous service may be ineligible.

To find out your eligibility for **5a** and **5b** above, please complete and return this form along with your **original** MATB1 form to Human Resources.

The Council will assume you will be returning to work after 52 weeks' maternity leave.

If you wish to return to work before the expiry of your leave, please write to the HR Employee Service Centre at least 8 weeks before your intended start date.

Maternity leave is compulsory for the 2 weeks immediately after the child is born. **[Now, sign the employee declaration below]**

#### Employee Declaration

I wish to apply for maternity leave starting on the date as in Section 1 above.

Your signature:

Date:

**If you need further help or explanation, please contact HR on:**

**0121 704 8730 (Core council);  
0121 704 8726 or 8727 (Schools).**

**Please advise us immediately if any of your circumstances change.**

We will acknowledge your request and write back confirming your entitlements within 28 days.

**Signed:**

**for Solihull MBC**

**Date:**

#### DATA PROTECTION FAIR PROCESSING NOTICE

All information supplied on this form may be held and used as detailed:

The form will be passed to the Human Resources department to process your maternity leave and to ensure that you receive the pay and other benefits to which you are entitled. The line manager will also retain a copy of the form to manage the maternity leave absence and to allow effective workforce management.

The information you provide may be shared with third parties such as other Local Authorities, the Department of Work and Pensions (DWP), HMRC and pension scheme providers.

For further information about how we use your information please refer to the Council's Data Protection Policy on the [Intranet](#)/ School's Extranet and Privacy Statement on [www.solihull.gov.uk](http://www.solihull.gov.uk).