



PEMBROKE DOCK TOWN COUNCIL

MATERNITY & PATERNITY LEAVE AND PAY

POLICY

The Town Council will follow current government guidance on requirements for leave and pay.

1. Ante-natal Care

You are entitled to paid time off for antenatal care, this is not just medical appointments it can also include antenatal or parenting classes if they have been recommended by a doctor or midwife.

The father or pregnant woman's partner has the right to have unpaid time off work to attend 2 antenatal appointments.

The appointment must be made on the advice of a registered doctor, midwife or health visitor. After the first appointment, you must be prepared to produce a certificate confirming your pregnancy and your appointment card.

2. Maternity Leave

You are entitled to a maximum of 52 weeks maternity leave made up of

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

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

You are entitled to Maternity Leave provided you notify the Council on or before the 15th week before the baby is due of:

- your pregnancy; and
- your Expected Week of Childbirth (EWC); and
- the date on which you intend your Ordinary Maternity Leave to start. This date cannot be earlier than the 11th week before the EWC; and
- you must also provide the Council with the original Maternity Certificate (MAT B1) issued by your doctor.

You can choose to work right up to childbirth unless there are health and safety reasons which prohibit this.

Ordinary Maternity Leave commences on the date chosen by you except where Ordinary Maternity Leave commences early due to pregnancy related sickness absence. Ordinary Maternity Leave will commence on the day of childbirth if this is earlier than your chosen start date.

3. Paternity Leave

You will be entitled to 2 weeks paid paternity leave, this will include the birth, adoption of a child. Leave cannot start before the birth and it must be taken within 56 days of the birth (or due date if the baby is early).

You must provide sufficient notice of the intended start date. The due date is sufficient information.

You are entitled to paid absence to attend 2 antenatal appointments. If you are;

- The baby's father
- The expectant mother's spouse or civil partner
- In a long-term relationship with the expectant mother
- The intended parent.

You are entitled to take up to 6 and a half hours per appointment.

If you are adopting you are entitled to attend 2 adoption appointments after you've been matched with a child.

4 Maternity Pay

Payments for employees who have completed not less than one year's continuous Local Government service at the 11th week before the EWC shall be as follows:

- For the first six weeks of absence an employee shall be entitled to nine-tenths of a month's pay offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP.
- If having declared her intention to return to work then for the subsequent 12 weeks she shall be paid half a week's pay without deduction except by the extent to which the combined pay and SMP (or MA and any dependants' allowances if the employee is not eligible for SMP) exceeds full pay.
- For employees not intending to return to work payments during the subsequent 12 weeks shall be the employee's entitlement to SMP.
- Payments made by the Council during maternity leave shall be made on the understanding that the employee will return to Pembroke Dock Town Council employment for a period of at least three months, in the event of her not doing so, she shall refund the monies paid, or such part thereof, if any, as the authority may decide. Payments made to the employee by way of SMP are not refundable.

5 Statutory Maternity & Paternity Pay

You will qualify for Statutory Maternity Pay (SMP) if:

- you have been employed by the Council for 26 weeks prior to the 15th week before EWC; and
- you pay sufficient National Insurance Contributions; and
- you notify the Council at least 28 days before the date you want payments of SMP to commence, or if not reasonably practicable, as soon as is reasonably practicable. If giving late notice, you should give the Council an explanation of the delay.

SMP will not be paid before the 11th week before the EWC.

SMP will be paid for up to 39 weeks

- the first 6 weeks: 90% of their average weekly earnings before tax
- the remaining 33 weeks: £151.97 or 90% of average weekly earnings (whichever is lower)

If you do not qualify for SMP, the Council will give you a form SMP1 to explain why you do not qualify. Employees who do not qualify for SMP will normally qualify for Maternity Allowance.

Maternity Allowance is claimed by you from the Department of Work and Pensions (DWP). You would receive Maternity Allowance from the DWP not the Council. It is your responsibility to claim Maternity Allowance from the DWP at a Benefits Office.

6 Returning To Work

As set out above, you will have received a letter from Pembroke Town Council stating the expected date of return to work. The expected date of return will be the first working day after the end of the full period of maternity leave to which you are entitled.

Returning to Work Earlier than the Expected Date of Return

If you wish to return before the expected date of return, you must give notice to the Council at least 8 weeks before your new intended return date, or if that is not reasonably practicable, as soon as reasonably practicable. If the notice is given late, it must be accompanied by an explanation for the delay.

The Council will write to you within 28 days of receipt of your notice to confirm the new intended start date.

If less than 8 weeks notice is given by you, the Council may be entitled to refuse to allow you to return to work until the 8 week period has been given.

In any event you are not permitted to return to work within 2 weeks' of the actual date of birth.

Returning to Work Later than the Expected Date of Return

If you wish to postpone your return to work until after the end of your full entitlement to maternity leave, you must contact the Clerk and submit a medical certificate confirming that you are suffering from a medical condition which prevents you from working or provide another authorised reason (such as holiday or parental leave), for your returning late.

7 Keeping in Touch Days

By agreement you may be entitled to work for up to 10 days during your maternity leave period.

If you wish to consider working during this period please contact the Town Clerk who will notify you and agree terms and remuneration.

8 Pension

If you are part of the Dyfed Pension Scheme there will be no affect to your pension benefits for the 6 months i.e. 26 weeks, but from 6 to 9 months (26 weeks to 39 weeks), it depends on whether or not you qualify for SMP.

If you do qualify for SMP then your pension payments continue as normal. But you do have the option to take an unpaid period, you then have the option to buy back the pension lost via an Additional Pension Contribution contract (APC).

If you do not qualify for SMP then you can elect to take an unpaid period from 26-39 weeks