

Education & Children`s Services

Maternity, Adoption & Paternity Leave Provisions for Support Staff

Maternity Information Pack

Congratulations and good luck for a happy and uncomplicated pregnancy!

This pack is for employees who are expectant mothers, those planning on having a baby or planning to adopt. It explains your rights, benefits and options available to you before and after the birth or placement of your child.

If you require any further information or more detailed advice please contact your Human Resources Section.

If you are expecting, we strongly advise that you telephone or make an appointment to see someone from your Human Resources Section at least 8 weeks before your baby is due. This will give you the opportunity to discuss in more detail your rights and is also an opportunity for HR to explain to you the notification periods you must comply with in order to be eligible for maternity leave and pay.

Look out for our Top Tips, which are there to help you get the best from your entitlements.

We have tried to keep this pack informative and easy to read. If you feel any aspects of it can be improved please let us know.

Please note:

This pack applies to parents whose Expected Week of Childbirth (EWC) is on or after 1 October 2011, or where a child is being adopted and expected to be placed by that date.

These Maternity and Adoption provisions are compliant with The National Agreement on Pay and Conditions of Service, commonly known as the "Green Book".

Nothing in the provisions shall be construed as providing rights less favourable than statutory rights.

Any medical or health queries should be referred to your doctor or midwife at your local antenatal clinic.

Contents

<i>INTRODUCTION</i>	2
<i>CONTENTS</i>	3
<i>GLOSSARY</i>	5
<i>SECTION ONE - PREPARING FOR MATERNITY LEAVE</i>	7
<i>Antenatal Care</i>	
<i>SECTION TWO - MATERNITY LEAVE</i>	8
<i>Entitlement to Maternity Leave</i>	
<i>Notification Requirements</i>	
<i>SECTION THREE - MATERNITY PAY</i>	10
<i>Entitlement to Maternity Pay</i>	
<i>Multiple Births and Maternity Pay</i>	
<i>SECTION FOUR - ADOPTION LEAVE</i>	14
<i>Entitlement to Adoption Leave</i>	
<i>SECTION FIVE - PATERNITY LEAVE</i>	17
<i>Entitlement to Paternity Leave</i>	
<i>& Additional Paternity Leave</i>	
<i>SECTION SIX - KIT DAYS</i>	21
<i>Keeping In Touch days and reasonable contact</i>	
<i>SECTION SEVEN - RETURNING TO WORK</i>	23
<i>Not Returning to Work</i>	
<i>Returning to Work at the end of Maternity Leave</i>	
<i>Returning to Work Early</i>	
<i>Returning to the Same Job</i>	
<i>Sickness and Returning to Work</i>	
<i>Returning to Work on Reduced Hours</i>	
<i>SECTION EIGHT- BENEFITS</i>	25
<i>Continuous Service</i>	
<i>Annual Leave</i>	
<i>State Benefits</i>	
<i>Parental Leave</i>	
<i>SECTION NINE - HEALTH AND SAFETY</i>	31
<i>Risk Assessment</i>	
<i>Breast Feeding</i>	

<i>SECTION TEN - ALTERNATIVES TO FULL-TIME WORKING</i>	<i>33</i>
<i>Right to Request Flexible Working</i>	
<i>Job Sharing Scheme</i>	
<i>SECTION ELEVEN -USEFUL ADDRESSES AND TELEPHONE NUMBERS</i>	<i>34</i>
<i>Forms</i>	<i>35</i>

GLOSSARY

Abbreviations and terms used in the handbook:

AAL - Additional Adoption Leave. All employees entitled to Statutory Ordinary Adoption Leave period are entitled to AAL, i.e. employees will be entitled to 52 weeks in total.

AML - Additional Maternity Leave. All employees regardless of length of service are entitled to 26 weeks statutory Additional Maternity Leave, which will start at the end of the Ordinary Maternity Leave period, i.e. employees will be entitled to leave of 52 weeks in total.

APL - Additional Paternity Leave - A maximum period of 26 consecutive weeks Additional Paternity Leave can be taken provided the mother/primary adopter has returned to work before using their full entitlement to maternity/adoption leave. This is subject to an employee's length of service and must be taken anytime from 20 weeks after the child is born or the date of placement.

AOP - Adoption Occupational Pay - an enhancement on the statutory adoption pay which is subject to employees' length of service and whether he/she returns to work after adoption leave.

ASPP - Additional Statutory Paternity Pay - as of 7th April 2013 this is £136.78 per week or if your earnings are less than this sum you will receive 90% of your weekly earnings. This is subject to the child's mother/primary adopter being entitled to SMP/SAP and the mother/primary adopter has returned to work you will be eligible to ASPP during the remaining period of payable SMP/SAP. This can only be claimed between 20 and 39 weeks.

Authority - This refers to Leicester City Council. With regards to continuous service the term Authority applies to service gained at locally agreed recognised bodies and those identified in the Modification Order under the Employment Rights Act 1996.

Childbirth - In this booklet, childbirth means the live birth of a child, or a stillbirth after a pregnancy lasting at least 24 weeks.

DWP - Department for Work and Pensions

EWC - Expected Week of Childbirth - the week, beginning with the midnight between Saturday and Sunday, in which it is expected that the baby will be born.

KIT Days - Keeping In Touch Days - Enables you take up to 10 days (pro-rata for job share or part-time employees) during your statutory maternity/adoption/paternity leave period.

Mat B1 - Maternity Certificate issued by a doctor or midwife to a pregnant woman showing the date on which the baby is expected, or if issued after the birth, the date on which the baby was born. The Mat B1 is issued from 20 weeks before the Expected Week of Childbirth.

OAL - Ordinary Adoption Leave - the 26 week period of leave that employees are entitled to subject to their length of continuous service. This leave can commence the date the child enters the employees home or no more than 14 days before the expected date of placement.

OML - Ordinary Maternity Leave - the 26 week period of statutory maternity leave that all pregnant employees (regardless of service) are entitled to.

OMP - Occupational Maternity Pay - an enhancement on the statutory maternity pay which is subject to employees' length of service and whether she returns to work for 3 months after maternity leave.

QW - Qualifying Week - The 15th week before the Expected Week of Childbirth.

SAP - Statutory Adoption Pay - as of 7th April 2013 this is £136.78 per week or if your earnings are less than this sum you will receive 90% of your weekly earnings.

SMP - Statutory Maternity Pay - as of 7th April 2013 this is £136.78 per week or if your earnings are less than this sum you will receive 90% of your weekly earnings.

SPL - Statutory Paternity Leave - the maximum 2 weeks paid statutory Paternity Leave fathers, partners or civil partners are entitled to.

SPP - Statutory Paternity Pay - as of 7th April 2013 this is £136.78 per week or if your earnings are less than this sum you will receive 90% of your weekly earnings.

SSP - Statutory Sick Pay

VDU - Visual Display Unit

SECTION ONE

Preparing for maternity leave/Adoption Leave

Antenatal Care

You are entitled to take reasonable paid time off work during your pregnancy to keep appointments for antenatal care made on the advice of a doctor, midwife or health visitor, regardless of your length of service or the hours you work.

Antenatal care is not restricted to medical appointments and examinations; it also includes, for example, relaxation classes and parent craft classes where your doctor or midwife recommends attendance. These requests need to be medically supported.

Appointments for Adoption

Adoptive parents are entitled to take reasonable paid time off work to attend meetings/appointments relevant to the 'matching process' but must provide an appointment card (or some other document showing that an appointment has been made). Your line manager should be informed as early as possible.

Please inform your Headteacher/Principal or line manager as early as possible that you will be absent. After the first appointment you should provide an appointment card (or some other document showing that an appointment has been made).

SECTION TWO

Maternity leave

What is my entitlement to maternity leave?

There are three options to statutory maternity leave.

- **Compulsory Maternity Leave**

Under current legislation you are not permitted to return to work for at least two weeks following the birth of your baby.

- **Ordinary Maternity Leave**

You are entitled to 26 weeks Ordinary Maternity Leave (OML) regardless of your length of service and whether you are full or part - time, temporary or permanent, and this can commence on any day of the week.

- **Additional Maternity Leave**

All pregnant employees are entitled to a further 26 weeks Additional Maternity Leave (AML) which will begin at the end of the OML period should you choose.

When can I start my maternity leave?

You can begin your maternity leave at any time after the start of the 11th week before the Expected Week of Confinement (EWC). Providing you are well enough to do so, you may work right up to your EWC.

If, however, you are absent from work, wholly or partly due to a pregnancy related illness after the beginning of the 4th week before your EWC, your maternity leave will automatically be triggered on the day following the first day of absence. Where your absence is not pregnancy related, you will be recorded as being off work due to sickness in the normal way.

N.B School support staff working term time only, if your EWC falls during the School closure periods, you can commence you maternity leave during the closure period provided your maternity leave commences prior to the expected date of birth.

When does my maternity leave start if my baby is born early?

If your baby is born prematurely, after the beginning of the 24th week of your pregnancy, your maternity leave and pay will commence on the day following the birth of your baby.

If your baby is born early, but you have already begun your maternity leave, your entitlement to leave and pay will continue just as if your baby was born during the EWC.

If your baby is born early, please inform your Headteacher/Principal or Line manager as early as possible of the date of birth of your child.

Am I entitled to maternity leave in the unfortunate event that I have a stillbirth?

Should you have a stillbirth after the beginning of the 24th week of pregnancy, you are still entitled to receive maternity leave and pay. Your maternity leave and pay starts on the day following the day of the stillbirth.

If you have a stillbirth before the beginning of the 24th week of pregnancy you are not entitled to receive maternity leave and pay. However, your absence will be treated sympathetically as sickness absence and will be supported by a medical certificate.

When do I have to inform my Headteacher/Principal or Line manager of the date I wish to start maternity leave?

In order to qualify for maternity leave and pay you must meet the following notification requirements:

You must notify your Headteacher/Principal or line manager in writing at least 28 days or as soon as reasonably practicable before your absence begins, including the following:

- The fact that you are pregnant
- The date on which you wish to start your maternity leave;
- The expected week of childbirth (EWC)
- If you are certain you will not be returning to work following maternity leave

Where this is not possible due to the early birth of your child please notify your Headteacher/Principal or Line manager and your HR Section as soon as you can after the birth of your baby.

You must also provide the original Maternity Certificate (Mat B1), which is normally issued to you by your doctor or midwife when you are around 20 weeks pregnant. This certificate confirms the Expected Week of Childbirth (EWC).

The HR Pay & Benefits Section will inform you in writing, within 4 weeks of your written notification, of your entitlement to maternity leave, pay and benefits and the date of your expected return to work.

If you wish to change the start date of your maternity leave you must give your manager at least 28 days' notice.

SECTION THREE

Maternity Pay

I will have less than 26 weeks service with the Authority (See glossary) by the end of the Qualifying Week, what is my entitlement to maternity pay?

If you have less than 26 weeks service by the Qualifying Week (QW), you are entitled to 2 weeks paid leave. You may be entitled to maternity allowance from Jobcentre Plus.

If you are not entitled to Statutory Maternity Pay (SMP), the HR Pay & Benefits Team will send you an SMP1 form so that you can make a claim to the Jobcentre Plus for maternity allowance. Alternatively, this form can be obtained from the Benefits Agency on Wellington Street, or downloaded from the Jobcentre Plus website at www.jobcentreplus.gov.uk.

I will have 26 weeks service with the Authority by the end of the Qualifying Week, what is my entitlement to maternity pay?

If you have 26 weeks service by the QW and your average earnings in the 8 weeks prior to the QW are equal to the lower earnings limit for National Insurance purposes, you are eligible for SMP, which is payable for a period of 39 weeks.

Your entitlement to Statutory Maternity Pay is as follows:

6 weeks at 9/10ths of an average weeks pay
(this is known as **higher rate SMP**)

33 weeks at £136.78 per week (or 9/10ths of your average week's pay where pay is less than £136.78 per week) as from 7th April 2013 (this is known as **lower rate SMP**)

I will have at least 1 year's continuous service at the 11th week before the EWC. What is my entitlement to pay?

If you have at least 1 year's continuous service at the 11th week before the EWC, and you return to work for a period of three months after maternity leave, you will be entitled to SMP and Occupational Maternity Pay as follows:

6 weeks at 9/10ths of an average weeks pay (this is known as higher rate SMP)

12 weeks at 50% of your average weekly earnings, plus lower rate SMP, if you have stated your intention to return to work for a period of at least 3 months after your maternity leave

Or Lower rate SMP, if you have not stated your intention to return to work after maternity leave

21 weeks at Lower rate SMP

I have a temporary contract - am I entitled to the same maternity pay?

Yes, you are entitled to the same maternity pay provided your Expected Week of Confinement (EWC) falls before the end of your temporary contract. You will not be entitled to 12 weeks at 50% of your pay unless your temporary contract end date exceeds the term of your maternity leave and you return to work by 3 months.

I am an agency worker - am I entitled to the same maternity pay?

You are not entitled to maternity pay through the Authority; however you may be through your agency. However, the Agency Worker Regulations 2010, gives pregnant agency workers new rights. You will need to have completed the 12 weeks qualifying period to have the right to be given time off for antenatal care and for it to be paid time off. Please see *Section One - Preparing for Maternity Leave* for further details.

I am expecting more than 1 child - does my entitlement to pay change?

There is no increase in maternity pay or leave where you are expecting more than one baby.

Is it possible to spread my occupational maternity pay entitlement over a longer period of time?

Yes, it is possible to come up with an alternative method for paying the same entitlement so that it can be spread over a longer period during your maternity leave. If you would like this arrangement to be considered in your case, please state this in your initial letter to the HR Pay & Benefits Section.

When would I not be entitled to receive maternity pay?

You will not be entitled to receive maternity pay for any of the following reasons:

- If you live outside of the EU
- If you are held in legal custody
- If you die
- If you are unemployed in the qualifying week

Will I be entitled to receive maternity pay if I start work for another employer?

A. If you start work for another employer before the baby is born:

Yes, you are entitled to receive SMP from us if you start work for a new employer and you leave before your baby is born, providing you were employed by us in the qualifying week.

B. If you start work for another employer after the baby is born:

Again, you are entitled to receive maternity pay from the Local Authority if you start work for another employer after your baby is born. This is providing you were employed by the Local Authority in the qualifying week.

You cannot, however, retain your right to SMP from the Local Authority if you start working for a new employer before the qualifying week. If you do, you will lose the remaining SMP entitlement from the Local Authority even if you stop working for your new employer before the maternity pay period ends.

Is SMP subject to tax and National Insurance deductions?

Yes, SMP is subject to tax, National Insurance and any other relevant deductions, e.g. pension.

How will maternity leave affect my entitlement to allowances?

During the paid period of maternity leave, your allowances will continue to be paid to you as per your entitlement.

How will maternity leave affect my pension?

During the paid maternity leave period you can elect to have pension contributions deducted at the normal rate. If you return to work after maternity leave you have two choices regarding pension contributions for any unpaid period of your maternity leave:-

- To not pay any pension contributions during unpaid leave
- To pay additional contributions for the whole period of your unpaid maternity leave. If you do this, the period of unpaid leave will count as super annuable service. The Local Authority will pay the employer's contribution.

When you return to work, you will have the option of making up your contributions for the unpaid period of maternity leave, either by a lump sum payment or by spreading it over 6 months. You must notify your

Payroll Section of your decision within 30 days of returning to work. Contributions will be based on the reduced rate of earnings which applied during paid maternity leave. If you have any further queries in this respect please contact the Pensions Section at County Hall.

Please note, If you do not return and you have more than two years' service, you are entitled to preserved benefit, which can either be brought back in the scheme, should you re-join the scheme at a future date, or otherwise become payable at age 65.

N.B If you are uncertain about returning to work for a period of 3 months following maternity leave, it is advisable not to take the entitlement to the half pay element of the OMP; otherwise you will be required to repay this amount should you not return to work. Your OMP would be withheld and paid to you should you return to work for a period of at least 3 months.

SECTION FOUR

Adoption Leave

When newly adopting a child, who is below the age of 18, employees may be entitled to adoption leave and pay as set out below.

When can Adoption Leave commence?

Adoption leave can be taken from the date of the child's entry into the employees' home, or no more than 14 days before the expected date of placement. Leave can begin on any day of the week.

Am I entitled to leave to prepare for the adoption?

You are entitled to take reasonable paid time off work prior to being matched, to meet with statutory agencies and to be assessed for suitability as adoptive parents.

Please inform your Headteacher/Principal or line manager as early as possible that you will be absent. After the first appointment you should provide some form of document showing that an appointment has been made.

I have less than 26 weeks continuous service at the date I was notified of having been matched with a child, am I still entitled to adoption leave?

Yes, the school/college allows you to take up to 52 weeks leave from the date of placement or no earlier than 14 days before the date of placement, You are not entitled to Statutory OAL or AAL.

With less than 26 weeks continuous service how much pay will I get?

For the first two weeks you will have paid leave, any additional leave will be unpaid. You may however qualify for additional financial support - refer to your local jobcentre for details.

I have more than 26 weeks continuous service but less than 1 years' service at the date I was notified of being placed with a child, how much leave am I entitled to?

You are entitled to 26 weeks Ordinary Adoption Leave followed by 26 weeks Additional Adoption Leave, provided the child adopted is up to the age of 18 and is newly placed.

I have more than 26 weeks continuous service, how much pay will I receive?

You are entitled to 39 weeks Statutory Adoption Pay providing your average weekly earnings are more than the lower earnings limit for National Insurance contributions.

I have more than 1 year's continuous service at the date I was notified of being placed with a child, how much leave am I entitled to?

You are entitled to 26 weeks OAL followed by 26 weeks AAL, provided the child adopted is up to the age of 18, and newly placed.

With more than 1 years' service how much pay will I receive?

If you have at least 1 year's continuous service at the date of being notified of being placed with a child, and you return to work for a period of three months after adoption leave, you will be entitled to SAP and Occupational Adoption Pay as follows:

- | | |
|----------|---|
| 6 weeks | OAP of 9/10ths of an average week's pay (offset against payments made by way of SAP) |
| 12 weeks | OAP of 50% of your average weekly earnings plus SAP, where you have stated your intention to return to work for a period of at least 3 months after your adoption leave |
| 21 weeks | SAP |

I have a temporary contract - am I entitled to the same Adoption pay?

Yes, you are entitled to the same adoption pay provided the date of being notified of being placed with a child falls before the end of your temporary contract. You will not be entitled to 12 weeks at 50% of your pay unless your temporary contract end date exceeds the term of your adoption leave and you return to work by 3 months.

I am an agency worker - am I entitled to the same Adoption pay?

You are not entitled to adoption pay through the Authority; you may be through your agency. Under the Agency Worker Regulations 2010 it gives pregnant agency workers new rights. You will need to have completed the 12 weeks qualifying period to have the right to be given time off for antenatal care and to be paid for the time off, Please see *Section One - Preparing for Maternity Leave* for further details.

Is SAP subject to tax and National Insurance deductions?

Yes, SAP is subject to tax, National Insurance and any other relevant deductions, e.g. pension.

How will adoption leave affect my entitlement to allowances?

During the paid period of adoption leave, your allowances will continue to be paid to you as per your entitlement.

How will adoption leave affect my pension?

During the paid adoption leave period you can elect to have pension contributions deducted at the normal rate. If you return to work after adoption leave you have two choices regarding pension contributions for any unpaid period of your adoption leave:-

- To not pay any pension contributions during unpaid leave
- To pay additional contributions for the whole period of your unpaid maternity leave. If you do this, the period of unpaid leave will count as super annuable service. The Local Authority will pay the employer's contribution.

When you return to work, you will have the option of making up your contributions for the unpaid period of adoption leave, either by a lump sum payment or by spreading it over 6 months. You must notify your HR Pay & Benefits Section of your decision within 30 days of returning to work. Contributions will be based on the reduced rate of earnings which applied during paid adoption leave. If you have any further queries in this respect please contact the Pensions Section at County Hall.

If you do not return and you have more than two years' service, you are entitled to preserved benefit, which can either be brought back in the scheme, should you re-join the scheme at a future date, or otherwise become payable at age 65.

Parental Leave for Adoptive Parents

Please refer to Section 8 of this booklet for details on Parental Leave.

Please note: that where a couple are adopting jointly and are both employees of the Authority, only one of them will be entitled to OAL and AAL, the other employee may be entitled to SPL.

Section FIVE

Paternity Leave

Employees who have or expect to have responsibility for the child's upbringing or who are the biological father of the child, husband, partner or civil partner of a woman having or adopting a child qualify for 10 days Maternity/Adoption Support Leave (Paternity Leave) provided they have been employed for at least 26 weeks ending the week immediately preceding the EWC or date of placement.

In some cases, the expectant mother or adoptive parent may choose to nominate someone else, other than those listed above, as the primary carer e.g. their mother or a friend. In these special cases schools/colleges have discretion to approve up to 10 days Maternity/Adoption Support Leave (Paternity Leave) to carers nominated by the mother to assist in the care of the child and to provide support for the mother at or around the time of birth.

For further information on this please speak to a member of your Human Resources Team.

When do I have to notify my Headteacher/Principal or line manager of the date I wish to take Paternity Leave?

You will need to complete form P.L.1 and return this to the HR Pay & Benefits Team, ESC, 3rd Floor, Sovereign House, by the 15th week before the baby/child is due.

Additional Paternity Leave

What is additional Paternity leave?

Additional Paternity Leave entitles some employees to take up to a maximum of 26 weeks Additional Paternity Leave provided the mother/primary adopter has returned to work before using their full entitlement to maternity/adoption leave.

During the period of Additional Paternity Leave, your contract of employment continues and you will receive all of your contractual benefits except for salary. Pension contributions will continue to be made during any period you are receiving statutory paternity pay but not during any period of unpaid Additional Paternity Leave.

What are the qualifying conditions to receive Additional Paternity Leave?

In order to be eligible for Additional Paternity Leave you must:

- have responsibility for the child's upbringing;
- be the biological father of the child or husband, partner or civil partner of the woman having a child or the person adopting a child;
- have been continuously employed by the Council for at least 26 weeks by the 15th week before the baby is due, or in the case of adoption be employed for 26 weeks by the week the adopter is matched with the child for adoption;
- The mother/primary adopter must have been eligible for maternity/adoption leave, Statutory Maternity/Adoption Pay, or Maternity Allowance. The mother/primary adopter must have returned to work with some of the maternity/adoption leave period remaining.

How and when can Additional Paternity Leave be taken?

A minimum of 2 and a maximum of 26 consecutive weeks can be taken. Leave can commence any time from 20 weeks after the child is born or the date of placement of the child for adoption and must end no later than 12 months after that date.

When do I have to notify my Headteacher/Principal or line manager of the date I wish to start Additional Paternity Leave?

You should complete the notification form A.P.L.2 and self-certification form which can be found at the back of this pack at least 28 days prior to commencing leave and return it to your Headteacher/Principal. You will also be asked to provide a copy of your child's birth certificate.

Additionally, the mother or primary adopter must complete and sign the declaration, part D of A.P.L.2 form stating:

- his/her name, address and NI number;
- the date that he/she intends to return to work;
- that he/she has given notice to his/her employer of returning to work;
- the name and address of the mother or primary adopters employer or, if she/he is self-employed, their business address;
- that he/she is entitled to SMP/SAP or Maternity Allowance;
- the start date of his/her maternity/adoption pay period;
- confirmation that the employee satisfies the relationship eligibility conditions;
- that he/she consents to Leicester City Council processing the information contained in the declaration form; and

- that the employee to his/her knowledge is the sole applicant for additional statutory paternity pay and, in the case of a birth child, also that the employee is to his/her knowledge the only person exercising the entitlement to additional maternity/adoption support leave in respect of the child.

Do I receive pay for taking Additional Paternity Leave?

An employee who is eligible for Additional Paternity Leave may also be entitled to Additional Statutory Paternity Pay (ASPP).

If the child's mother is entitled to SMP or Maternity Allowance or the child's adopter is entitled to SAP and the child's mother/primary adopter has returned to work, you may be eligible to receive ASPP which is payable during the period where the mother/primary adopter is entitled to SMP/SAP or MA. This means ASPP can only be claimed between 20 and 39 weeks after the child is born or adopted. If Additional Paternity Leave is taken after the 39 week period, it will be unpaid.

Example:

Amy wishes to return to work on the 1 November having taken 26 weeks maternity leave and statutory maternity pay. Richard wishes to take additional paternity leave to care for his child for the remaining 26 weeks, when Amy returns to work. Amy returns to work on the 1 November and Richard begins his APL on the same day. Richard will receive 13 weeks statutory paternity pay with the remaining 13 weeks APL unpaid.

You must remain continuously employed until the week before the additional pay period begins. The amount of ASPP will be equivalent to the lower rate of SMP which, as at the 7th April 2013, is £136.78 per week (or 9/10th of an average week's pay where pay is less than £136.78 per week). This is provided your normal weekly earnings are above the Lower Earnings Limit for NI purposes for the 8 week period before either the 15th week of childbirth or the week the adopter is matched with the child.

Is ASPP subject to tax and National Insurance deductions?

Yes, ASPP is subject to tax, National Insurance and any other relevant deductions, e.g. pension.

How will paternity leave affect my pension?

During the paid paternity leave period you can elect to have pension contributions deducted at the normal rate. If you return to work after paternity leave you have two choices regarding pension contributions for any unpaid period of your paternity leave:-

- To not pay any pension contributions during unpaid leave
- To pay additional contributions for the whole period of your unpaid maternity leave. If you do this, the period of unpaid leave will count as super annuable service. The Local Authority will pay the employer's contribution.

When you return to work, you will have the option of making up your contributions for the unpaid period of paternity leave, either by a lump sum payment or by spreading it over 6 months. You must notify your Payroll Section of your decision within 30 days of returning to work. Contributions will be based on the reduced rate of earnings which applied during paid paternity leave. If you have any further queries in this respect please contact the Pensions Section at County Hall.

If you do not return and you have more than two years' service, you are entitled to preserved benefit, which can either be brought back in the scheme, should you re-join the scheme at a future date, or otherwise become payable at age 65.

Keeping in Touch Days and Reasonable Contact

Please refer to 'Section 6' of this booklet for details on Keeping in Touch Days and Reasonable Contact.

Returning to work after Additional Paternity Leave

Please refer to 'Section 7' of this booklet for details on Returning to Work.

What happens in the unfortunate event of the death of the mother or primary adopter?

If the child's mother or primary adopter dies within 12 months of the birth or date of placement for adoption, the father or partner will be able to cancel or vary the start and end dates of additional paternity leave. In these circumstances, fathers or partners will be able to take between 2 weeks and 12 months' leave, ending with the child's 1st birthday or the 1st anniversary of the date of placement for adoption.

If the father/partner has already taken a period of additional paternity leave before the death and has already returned to work, a further period of additional paternity leave may not be taken.

For further information on this please refer to Conditions of Service or speak to a member of the HR Admin Team.

SECTION SIX

Keeping in Touch days

You may work up to 10 days (pro rata for job share and part-time employees) during your statutory maternity/adoption/paternity leave period. (Except during the two weeks, commencing on and including the day on which the child is born.)

KIT days can be worked without bringing your maternity/adoption/paternity leave to an end and without loss of a week's statutory maternity pay/adoption pay/paternity (SMP/SAP/ASPP). KIT days do not extend the period of maternity/adoption leave. However, once the 10 KIT days have been used up, you will lose a week's SMP/SAP/ASPP for any additional day which they agree to work.

'Work' includes training, attending meetings or any activity undertaken for the purposes of keeping in touch with the workplace. KIT days can be taken in blocks or as individual days, although any work carried out on a day is counted as a whole day.

You cannot be required to work KIT days and are protected against detriment and dismissal for not considering, agreeing to, or working KIT days.

You will be paid for working KIT days, offset against SMP/SAP/ASPP using your actual contract hours, e.g. $\text{SMP} \div \text{contract hours per week} = \text{amount of SMP that will be deducted}$. This means that there may be limited financial benefit in working KIT days, particularly during the first 6 weeks of earnings related SMP entitlement. Payment will be at the spinal column point which you were on immediately before going on maternity/adoption/paternity leave. Pay awards and annual increments, if applicable, will also apply.

Reasonable Contact

During the maternity/adoption/paternity leave period managers may make reasonable contact with you, and in the same way you may make contact with your manager. The frequency and the nature of the contact will depend on a number of factors, such as: any agreement that may have been reached before maternity/adoption/paternity leave began; and whether either party needs to communicate important information to the other. For example, changes at the workplace that might affect you on your return.

You should be kept informed of promotion opportunities and other information relating to your job that you would normally be made aware of if you were working by your manager.

Contact should be mutually agreed in a way that best suits either or both parties. This can include you making a visit to the workplace. Reasonable contact will vary according to the circumstances and the individual. Some may be happy to stay in touch with the workplace; others may prefer to keep such contact to a minimum.

SECTION SEVEN

Returning to work

I do not wish to return to work after maternity leave. What do I need to do?

If you are certain that you will not be returning to work following maternity leave, you should inform your Headteacher/Principal or line manager, when you inform them of your start date for maternity leave. This is important, as this is likely to affect your entitlement to occupational maternity pay and benefits.

I wish to return to work at the end of my entitlement to OML/AML. When do I have to let my manager know?

You do not have to give any notice of your intention to return to work at the end of OML/AML. However we would ask that you complete the form attached to this pack to confirm your return to work.

What should I do if I wish to return to work early?

If you decide to return to work before the end of your entitlement to Ordinary Maternity Leave (OML), you must inform your Headteacher/Principal or Line manager, in writing, 7 days before the date you wish to return.

If you intend to return to work before the end of your entitlement to Additional Maternity Leave (AML), you must give your Headteacher/Principal or line manager 21 days notice, in writing.

If you work term-time only, your return date will be the nearest available term day to the end of your maternity leave.

Please note: If you fail to give the required notice, your actual return to work date may be postponed but not beyond the end of the maternity leave period.

When I return to work will I return to the same job?

Yes, you will return to the same job, hours and conditions of work.

What if I am unable to return to work at the end of my entitlement to maternity leave because of sickness?

If you are unable to return to work at the end of your maternity leave because you are unwell, the usual sickness absence rules and pay will apply. A medical certificate must be provided after seven days.

I wish to return to work on reduced hours, what do I need to do?

If you wish to reduce your hours of work, you must inform your Headteacher/Principal or line manager, in writing, as soon as you can so that he/she can give your request appropriate consideration.

There are a range of flexible working options which you will find under Section Ten 'alternatives to working full time', available to staff, in this pack. Please look at these options carefully, as this Section is intended to help you decide how you want to change your working time.

Please note, that if you wish to reduce your hours of work, you must inform your Headteacher/Principal or line manager, as soon as you can, as it may take up to 14 weeks to consider a request before it can be implemented and possibly longer where difficulties arise. You should therefore ensure that any requests are submitted to your Headteacher/Principal well in advance of the date you wish the request to take effect.

SECTION EIGHT

Benefits

Does my period of maternity/adoption/paternity leave count as continuous service with the Authority?

If you return to work following maternity/adoption/paternity leave without having worked elsewhere your period of maternity leave will count as continuous service for the purposes of annual leave, pension, sickness absence, redundancy and notification requirements.

If you do not return to work, your last day of employment will be the last day that you received payment.

What is my entitlement to annual leave during maternity/adoption/paternity leave?

You will accrue annual leave throughout your period of leave. You will also accrue any bank holidays that fall during this period.

Please note if you return to work on reduced hours, your annual leave will be recalculated by your line manager from the date you commence your new pattern of work.

I only work during the term time, what is my entitlement to annual leave during maternity/adoption/paternity leave?

Annual leave is accrued throughout your maternity/adoption/paternity period. Your accrued annual leave will be offset against school closure periods outside of your maternity/adoption/paternity leave period only.

Your annual leave entitlement will be calculated for the leave year in which your maternity/adoption/paternity leave starts and the leave year in which your maternity/adoption/paternity ends. Where accrued leave is owed this should be taken in the leave year in which it falls (normally at the start or end of the maternity/adoption/paternity). Where this is not possible a maximum of 28days (pro rata) can be carried forward to the following year.

Any accrued leave carried forward will be offset against the remaining school closure periods after the annual leave entitlement for that year has been accommodated. Where there are still accrued days owed, the school and employee will agree how these days will be taken (during term time).

My maternity/adoption/paternity leave period falls over two annual leave years; will I be entitled to carry over all the annual leave and bank holidays I accrue during maternity leave?

No, you can only carry forward a maximum 15 days leave (pro rata for part-time/job share employees) including any bank holidays accrued, from one

leave year to the next. Only applicable to maternity/adoption leave, where you know you will be returning to work for at least 3 months at the end of leave, we would advise you to take your entitlement to annual leave before you start your maternity/adoption leave.

My maternity/adoption/paternity leave period falls over one leave year; will I be entitled to carry over all the annual leave and bank holiday entitlement I accrue during my leave?

No, you can only carry forward a maximum 15 days leave (pro rata for part-time/job share employees) including any bank holidays accrued, to the next leave year. We would, therefore, advise you to take your annual leave entitlement before you start your leave and/or before you return to work.

Please Note: The above does not include people who work term-time.

What other benefits can I claim?

Free Prescriptions

You are entitled to free prescriptions during pregnancy and for the first year after birth. To claim while you are pregnant, you must first get an exemption certificate by filling in form FW8 which you can get from your doctor, midwife or health visitor. You will find further information in leaflet P.11, which is available from your local Social Security Office, doctor's surgery or chemist. This leaflet also has a claim form for those who have given birth during the last year but do not already have an exemption certificate.

Free Dental Treatment

Whilst you are pregnant and until your baby is a year old, you are entitled to free dental treatment. You can claim by informing the dentist that you require free treatment at your appointment.

Free Milk and Vitamins

Expectant and nursing mothers and children under school age, in families who claim income Support can receive free milk by claiming tokens from the Social Security Office. Free vitamins are also available for expectant and nursing mothers.

Fares to Hospital

If you are or your partner is claiming Income Support, you may be eligible to have your travel costs to and from hospital refunded. Your local Social Security Office can provide further information.

Child Benefit

This is a weekly benefit that is paid for each child that you are responsible for. You cannot claim until you have given birth. The Benefits Agency will require the exact date of birth to process the claim. For further information please contact the Benefits Agency directly (see useful Addresses Section for contact address and telephone number).

Lone Parent Benefit

This is a weekly benefit paid in conjunction with Child Benefit for parents bringing up a child (children) on their own. It is paid per family rather than per child. It is not normally paid to Widows who will normally receive an increase in their Bereavement Benefit to care for their child (children). For further information please contact the Benefits Agency.

Income Support

This may be payable if you have a low income. There are qualifying conditions that you need to meet in order to receive income support. Please obtain the leaflet 'A Guide to Income Support' for further information from the Benefits Agency on Wellington Street, or contact your local Jobcentre Plus office/Benefits Agency.

Housing Benefit/Council Tax Benefit

If you are on a low income you may receive help towards the cost of rent and/or Council Tax. The amount of benefit that you receive will depend on the amount of rent you pay, your income and how many adults live in the house. These benefits are payable by your Local Authority.

Child Tax Credit and Working Tax Credit

Both of these tax credits are based on household income. Child Tax Credit is a way to claim money for children whether or not you are in work. Working Tax Credit supports working households on low incomes by topping up earnings. It includes support for the cost of qualifying childcare. You may be entitled to Working Tax Credit if you normally work at least 16 hours per week and are responsible for a child. If you are receiving Statutory Maternity/Adoption or Paternity Pay you are treated as being in work for Working Tax Credits purposes, as long as you were working 16 hours per week immediately before you started receiving these payments. For more information about Child Tax Credit or Working Tax Credit, or to obtain the claim forms, telephone the Tax Credits Helpline on 0845 300 3900. If you have a speech or hearing impairment and use a textphone, please dial 0845 300 3909.

Childcare Scheme

The Authority provides a service which means that you can save over £900 a year with tax-free childcare benefits.

Eligible employees can sacrifice an amount from your monthly salary and the Authority will pay this amount to your chosen childcare provider directly, before tax and national insurance contribution deductions.

For further information please refer to our site on the intranet or alternatively contact the HR Pay & Benefits Section.

Sure Start Maternity Grant

This is a grant of £500, paid from the Social Fund, which you would be eligible for if you or your partner are receiving:-

- Income Support
- Income-based Job Seekers Allowance
- Income-related Employment and Support Allowance
- Pension Credit
- Child Tax Credit at a rate higher than the family element
- Working Tax Credit where a disability or severe disability element is included in the award.

You need to claim on form SF100 Sure Start, which is available from the local Jobcentre Plus Office on Wellington Street.

Am I entitled to a tax rebate?

Usually any overpayment of tax should automatically be refunded through the payroll system. However, in cases where maternity leave spans two years this may not happen. If in doubt, you should contact the HR Pay & Benefits Section or write to the Tax Office (address below) stating your name, where you work (quoting reference 267/L140), and the date your maternity leave starts and ends and querying whether or not you are entitled to a tax rebate.

Tax Office:-
HM Inspector of Taxes
(Leicester 1)
Saxon House
Causeway Lane
Leicester
LE1 4AA
Tel.0116 2651400

Further Information

Your local Job Centre Plus/Benefits Agency offers advice on the benefits available to you during and following your pregnancy.

Parental Leave

Parental leave is an entitlement to a maximum of 18 weeks unpaid leave during the first five years of the child's life. (For adoptive parents this will be 18 weeks unpaid leave up to the fifth anniversary of the date of placement or the child's 18th birthday if that is sooner). A maximum of 4 weeks can be taken, in any one year, for each child under 5 years of age. The entitlement is pro-rata for part-time employees. This leave is to be used to care for a child.

Employees will need to have at least one year's continuous service with the school, another Authority or have recognised service with another organisation.

Parental leave can be taken immediately following a period of maternity leave, provided that notification time limits are met during the maternity leave period.

The required notice must specify the dates the leave period will start and end and give the school at least 21 days notice of the start.

If both parents are working for the Authority, they will each be entitled to 18 weeks' parental leave for each child. This will be non-transferable i.e. one parent cannot have 11 weeks and transfer 2 weeks to the other parent. The reason for this change is to encourage fathers to have the full right to 18 weeks.

Parental leave is for each child; so for example if twins are born each parent will be entitled to 18 weeks leave for each child.

Parental leave needs to be taken in minimum blocks of one week i.e. if you or your partner takes two days leave from one week, this will be classed as a whole week. The only exception to this is that parents of children registered as disabled can take leave in blocks or multiple days of one.

Parents of children who are registered disabled and are receiving Disability Living Allowance have an enhanced benefit. They can take up to 18 weeks parental leave up to the child's 18th birthday.

Those wishing to use their entitlement to parental leave will be required to provide evidence to the HR Pay & Benefits Section in the form of a birth certificate or papers confirming adoption placement and in the case of a disabled child, the award for Disability Living Allowance.

For further information about parental leave contact your HR Section.

SECTION NINE

Health & Safety

Risk Assessment

The Local Authority has a legal responsibility to protect the health and safety of all its employees, including women of childbearing age and women who are pregnant or have given birth during the last 6 months or are breast-feeding.

Under The Management of Health & Safety at Work Regulations, the school/college is required to carry out a risk assessment of your role within the organisation.

In the event of a risk being identified, the school/college will take steps to remove the risk, which may involve taking one of the following courses of action:

- Temporarily adjusting your working conditions and/or the hours you work;
- Offering you suitable alternative work;
- Where the above is not available, you will be suspended for medical reasons on full pay for as long as is necessary to protect the safety of you and your child.

The measures taken to avoid the risk will remain in place for as long as the risk to health and safety continues.

Visual Display Units (VDUs)

Although there is no proven link between problems in pregnancy and the operation of VDU equipment, there still may be some concern amongst pregnant women operating such apparatus.

If you are operating a VDU you may request this duty to be taken off you for the duration of your pregnancy. If you suspect that you are pregnant and do not wish to operate a VDU, you must inform your Headteacher/Principal or Line manager and request to be removed from this responsibility.

You must seek medical confirmation of your pregnancy from your GP and provide a certificate for your Headteacher/Principal or Line manager, whereupon you will not be required to operate a VDU during the course of your pregnancy.

Following consultation, you will be transferred to other duties either in your own school or setting. These duties must be of an acceptable level of responsibility and will be agreed with you and other affected members of your department. Other staff will be expected to co-operate in an exchange of duties and they will also be involved in the consultation.

Until your pregnancy is confirmed, the allocation of alternative responsibilities will be on an informal basis. Upon confirmation, the allocation of duties will be reviewed and formalised by your HR Section.

If no suitable alternative work can be found you will be entitled to full pay during the period of suspension for medical reasons, unless the offer of a suitable alternative is refused by you. If this suspension for medical reasons runs to the 4th week before your EWC, your maternity leave will automatically commence.

Breast Feeding

If you are breast feeding when you return from pregnancy maternity leave, you are entitled to time during the day to either express milk or feed your baby, in an appropriate private area.

SECTION TEN

Alternatives to full time working

There are a number of options, which may help you to achieve a balance between your work and home life. The various schemes enable you to return to work on a full time or part - time basis, or even take a career break.

A summary of the various schemes is provided below. If you require more detailed information please contact your HR Section.

Your right to request flexible working

If you are a parent of a child under six years, or of a disabled child under 18, you have a statutory right to request a more flexible work pattern, providing you have a minimum of 26 weeks continuous service. The school/college has a statutory duty to consider your application seriously.

For more information please contact your HR Advisor via the School or your Trade Union/Professional Association and quote the Flexible Working Request Procedure. Alternatively, your Trade Union will be able to provide you with advice and guidance regarding the Flexible Working Procedure.

Job Sharing Scheme

The Job Sharing Scheme allows a full time employee to reduce their working hours whilst the remaining hours of their post are shared with a job share partner. In principle, time can be shared either equally or unequally between job sharers. Consideration is given to the needs of the employees concerned and the employing school/college.

Time can be split between two job sharers as an am/pm split, on alternating days or alternating weeks, or with the week split Monday to Wednesday and Wednesday to Friday, or any other combination, which takes into account the needs of the sharers and the school/college. A detailed policy is available from your HR Section.

If you require more detailed information please contact your HR Advisor via the School or your Trade Union/Professional Association.

SECTION ELEVEN

Useful Addresses and Telephone Numbers:

HR Pay & Benefits Team
ESC, 3rd Floor
Sovereign House
0116 299 5003

Health Matters
<http://healthmanagement.org.uk>

Childcare Voucher Scheme
HR Pay & Benefits Team
childcarescheme@leicester.gov.uk

Family Information Directory
0800 952 5678 - free phone
0116 2254890 - Local rates
family@leicester.gov.uk
<http://families.leicester.gov.uk>

Housing Benefits Office
Revenue and Benefits Service
Ground Floor
Wellington House
22-32 Wellington Street
Leicester
LE1 6HL

Job Centre Plus
60 Wellington Street
Leicester, LE1 6DS
Tel : 0116 252 9000

Children's Social Work Team
Leicester Royal Infirmary
Infirmary Square
(Windsor Building)
Leicester LE1 5WW
Tel: (0116) 258 5182

Teachers Pensions
Capita Hartshead, Mowden Hall
Darlington DL3 9EE Tel: (0845) 606 6166

Inland Revenue - Tax Office
HM Inspector of Taxes
(Leicester 1)
Saxon House
Causeway lane
Leicester LE1 4AA Tel: (0116) 265 1400

Directgov Website
www.direct.gov.uk
(for information on maternity rights,
money, tax and benefits)

Working Families Free Legal Helpline
1 - 3 Berry Street, London EC1V 0AA
Tel: 0800 0130313



Maternity Entitlement

Form M.A.1

The provision set out below applies only to those employees who have completed 1 years' continuous Local Government service at the beginning of the 11th week before the expected week of childbirth.

Please read the following 4 Sections carefully before you make a decision as to which condition you wish to have applied to you. You are advised to discuss the maternity provisions available with your HR Advisor.

Note: This form should be completed and submitted to the HR Pay & Benefits Team, via your school/college, no later than 3 weeks before you are due to commence Maternity Leave. Please tick and complete appropriate Section.

Section 1 - I wish to reserve my right to return to work, and intend to do so.

- (a) I wish to apply for maternity leave and pay to reserve my right to return to work.
- (b) I am aware that if I do not return to work for at least a period of 3 months following the end of my maternity leave, I am required to repay, the Occupational Maternity Pay paid to me, and hereby undertake to do so in default of my return.

Note: (i) This condition does not apply to maternity payment in respect of the first 6 weeks of absence at 6 weeks 9/10ths full pay, and the next 33 weeks at lower rate SMP.

(ii) Such repayment may be deducted from any salary of money due to me.

(c) My expected date of childbirth is
(Please enclose a certificate (MAT B1) from your medical practitioner)

I wish to begin my maternity leave on

Section 2 - I wish to reserve my right to return to work, I intend to do so, and wish to spread my pay over a longer period of time.

- (a) I wish to apply for maternity leave and pay to reserve my right to return to work.
- (b) I am aware that if I do not return to work for at least a period of 3 months, I am required to repay, the Occupational Maternity Pay paid to me, and hereby undertake to do so in default of my return.

Note: (i) This condition does not apply to maternity payment in respect of the first 6 weeks of absence at 6 weeks 9/10ths full pay and the next 33 weeks at lower rate SMP.

Maternity Entitlement cont..

(ii) Such repayment may be deducted from any salary of money due to me.

(c) My expected date of childbirth is
(Please enclose a certificate (MAT B1) from your medical practitioner)

I wish to begin my maternity leave on

(d) I request that my entitlement to Occupational Maternity Pay be spread over
Months.

Section 3 - I wish to reserve my right to return to work but am uncertain as to whether I will return. The Authority realises that employees may have difficulty in deciding whether or not they will return to work, and therefore offers an alternative to the above.

(a) I wish to reserve my right to return to work and to receive maternity pay for the first 6 weeks of absence at 6 weeks 9/10ths full pay plus 33 weeks at lower rate Statutory maternity Pay.

(b) I wish for payment of the remaining Occupational Maternity Pay to be withheld until my return to work, and I realise that to qualify for this pay, I must return to work for a period of at least 3 months.

(c) My expected date of childbirth is
(Please enclose a certificate (MAT B1) from your medical practitioner)

I wish to begin my maternity leave on

Section 4 - I do not intend to return to work.

(a) I wish to apply for maternity pay in accordance with my rights under current legislation (i.e. 6 weeks at 9/10ths full pay and the next 33 weeks at lower rate Statutory Maternity Pay.

(b) My expected date of childbirth is

(c) I do not wish to reserve any right to return to work and, therefore, the effective date of my termination of employment with the school/college will be (6 weeks later than the date absence begins for maternity reasons)

Print Name

Signed Date



Maternity Entitlement

Form M.A.2

The provision set out below applies only to those employees having less than 1 year's continuous Local Government service at the beginning of the 11th week before the expected week of childbirth, but more than 26 weeks service with the school/college at the 15th week before the expected week of childbirth. Employees who have been employed for one year or more should complete Form M.A.1.

I have at least 26 weeks service with the Authority at the 15th week before my expected week of childbirth, but less than 1 year's continuous Local Government service and wish to claim 6 weeks at 9/10ths full pay and 33 weeks lower rate Statutory Maternity Pay.

My expected date of childbirth is (please enclose MAT B1 from your medical practitioner)

.....

I wish to begin my maternity leave on

Print Name

Signed Date

Please return this form to the HR Pay & Benefits Team at least 4 weeks before you wish to commence maternity leave, and ensure that the following documents are attached:

1. Maternity Certificate (MAT B1)



Maternity Entitlement

Form M.A.4

The provision set out below apply only to those employees having less than 26 weeks continuous Local Government service at the beginning of the 15th week before the expected week of childbirth. Employees, who have been employed for more than 26 weeks, but less than 1 year, should complete Form M.A.2.

I confirm I have less than 26 weeks service with the school/college at the 15th week before my expected week of childbirth.

My expected date of childbirth is (please enclose Maternity Certificate (Mat B1) from your medical practitioner)

I wish to begin my maternity leave on

Print Name.....

Signed

Date

Please return this form to the HR Pay & Benefits Team at least 4 weeks before you wish to commence maternity leave, and ensure that the following documents are attached:

1. Maternity Certificate (MAT B1)

Adoption Entitlement

Form A.L.1

The provision set out below applies only to those employees who have completed 1 years' continuous Local Government service ending at the date of being notified of being placed with a child.

Please read the following 4 Sections carefully before you make a decision as to which condition you wish to have applied to you. You are advised to discuss the adoption provisions available with your HR Advisor.

Note: This form should be completed and submitted to the HR Pay & Benefits Team, via your school/college, no later than 3 weeks before you are due to commence Adoption Leave. Please tick and complete appropriate Section.

Section 1 - I wish to reserve my right to return to work, and intend to do so.

- (a) I wish to apply for adoption leave and pay to reserve my right to return to work.
- (b) I am aware that if I do not return to work for at least a period of 3 months following the end of my adoption leave, I am required to repay, the occupational adoption pay paid to me, and hereby undertake to do so in default of my return.

Note: (i) This condition does not apply to adoption payment in respect of the first 6 weeks of absence at 6 weeks 9/10ths full pay, and the next 33 weeks at lower rate SAP.

(iii) Such repayment may be deducted from any salary of money due to me.

- (c) My expected date of placement is
(Please enclose a matching certificate from your adoption agency)

I wish to begin my adoption leave on

Section 2 - I wish to reserve my right to return to work, I intend to do so, and wish to spread my pay over a longer period of time.

- (a) I wish to apply for adoption leave and pay to reserve my right to return to work.
- (b) I am aware that if I do not return to work for at least a period of 3 months, I am required to repay, the occupational adoption pay paid to me, and hereby undertake to do so in default of my return.

Note: (i) This condition does not apply to adoption payment in respect of the first 6 weeks of absence at 6 weeks 9/10ths full pay and the next 33 weeks at lower rate SAP.

Adoption Entitlement cont...

(ii) Such repayment may be deducted from any salary of money due to me.

- (c) The expected date of placement is
(Please enclose a matching certificate from your adoption agency)

I wish to begin my adoption leave on

- (d) I request that my entitlement to occupational adoption pay be spread over months.

Section 3 - I wish to reserve my right to return to work but am uncertain as to whether I will return. (The Authority realises that employees may have difficulty in deciding whether or not they will return to work, and therefore offers an alternative to the above).

- (a) I wish to reserve my right to return to work and to receive adoption pay for the first 6 weeks of absence at 6 weeks 9/10ths full pay plus 33 weeks at lower rate Statutory Adoption Pay.
- (b) I wish for payment of the remaining occupational maternity pay to be withheld until my return to work, and I realise that to qualify for this pay, I must return to work for a period of at least 3 months.
- (e) My expected date of placement is
(Please enclose a matching certificate from your adoption agency)

I wish to begin my adoption leave on
(No earlier than 14 days before expected date of placement)

Section 4 - I do not intend to return to work.

- (a) I wish to apply for adoption pay in accordance with my rights under current legislation (i.e. 6 weeks at 9/10ths full pay and the next 33 weeks at lower rate Statutory Adoption Pay).
- (b) My expected date of placement is
- (c) I do not wish to reserve any right to return to work and, therefore, the effective date of my termination of employment with the school/college will be (6 weeks later than the date absence begins for adoption reasons)

Print Name

Signed Date



Adoption Entitlement

Form A.L.2

The provision set out below applies only to those employees having less than 1 year's continuous Local Government service at the beginning of being notified of being placed with a child, but more than 26 weeks service with LCC at the 15th week before the expected week of placement. Employees who have been employed for one year or more should complete Form A.L.1.

I have at least 26 weeks service with the school/college, but less than 1 year's continuous Local Government service and wish to claim Statutory Adoption Pay.

My expected date of placement is (please enclose a matching certificate from your adoption agency)

.....

I wish to begin my adoption leave on
(No earlier than 14 days before expected date of placement)

Print Name

Signed Date

Please return this form to the HR Pay & Benefits Team at least 4 weeks before you wish to commence adoption leave or upon you receiving your matching certificate, and ensure that the following document is attached:

1. Adoption Matching Certificate

Adoption Entitlement

Form A.L.4

The provision set out below apply only to those employees having less than 26 weeks continuous Local Government service at the date of being notified of being placed with a child. Employees, who have been employed for more than 26 weeks, but less than 1 year, should complete Form A.L.2.

I confirm I have less than 26 weeks service with the school/college.
I wish to apply for leave of absence of weeks (Maximum 2 weeks paid and 24 weeks unpaid leave)

My expected date of placement is (please enclose a Matching Certificate from your adoption agency).....

I wish to begin my adoption leave on
(No earlier than 14 days before expected date of placement)

Print Name.....

Signed Date

Please return this form to the HR Pay & Benefits Team at least 4 weeks before you wish to commence adoption leave or upon you receiving your matching certificate, and ensure that the following document is attached:

2. Adoption Matching Certificate

Request for Maternity/Adoption Support Leave (Paternity Leave)

Form P.L 1

If you wish to take maternity/adoption support leave (Paternity Leave) and have at least 26 weeks service, ending the week immediately preceding the expected week of confinement or date of placement, please complete this form and return it to the HR Pay & Benefits Section by the 15th week before the baby/child is due. Please attach a copy of the MatB1 form issued by the midwife.

Surname: _____

First Name(s): _____

School Name: _____

National Insurance Number: _____

The baby is due on: _____ The child is due to be placed on: _____
(or if the baby has already been born, please enter the actual date of birth)

I would like my maternity/adoption support leave (Paternity Leave) to start on: _____

I wish to be away from work for 1 week/2 weeks*
(*please delete as appropriate)

Please tick the boxes in the declaration below. You must be able to tick all three.

I declare that

- I am the child's father or I am the spouse, partner or civil partner of the mother
and
- I have responsibility for the child's upbringing
and
- I am taking time off work to support the mother or care for the child

Signature: _____

Manager's signature: _____

Additional Paternity Leave (APL) Application Form

Form A.P.L 2

You should use this form for notifying the HR Pay & Benefits Section that you wish to apply for Additional Paternity Leave (APL). Please note that you only have an entitlement to Paternity Leave if you have been employed for at least 26 weeks' by the end of the 15th week before the expected week of childbirth (EWC) and are an employee with a contract of employment. At least 8 weeks' notice must be given. The earliest APL can start is 20 weeks after the birth/adoption and it must be taken in consecutive weeks. Please keep a copy of this application form and give a copy to your manager.

To: HR Admin - ESC 3rd Floor Sovereign House	Name:
	Payroll No:
	School Name:

APL Start Date: _____

PARTS A & B TO BE COMPLETED BY THE MEMBER OF STAFF

A - Entitlement

I will have 26 continuous weeks' service with the Leicester City Council at the date my APL starts	<input type="checkbox"/>
I will have 52 continuous weeks' service with the Leicester City by the EWC *	<input type="checkbox"/>

* To be entitled to Occupational Paternity Pay (OPP) you need to meet the qualification criteria as set out in the Maternity Leave Policy

B - Your declaration

I declare that:

I will care for the child during the Additional Statutory Paternity Pay (ASPP) period, and	<input type="checkbox"/>
I am the child's father or I am the spouse, partner or civil partner of the mother, and	<input type="checkbox"/>
I have, or expect to have, the main responsibility (apart from the mother) for the upbringing of the child	<input type="checkbox"/>
In the case of adoption, I have been matched with the child for adoption	<input type="checkbox"/>

Signature:	Date:
-------------------	--------------

CONT

PARTS C & D TO BE COMPLETED BY THE MOTHER OF THE CHILD OR PRIMARY ADOPTER WHO IS FORFEITING AN ELEMENT OF THEIR MATERNITY OR ADOPTION LEAVE

C - Details of the mother of the child

Surname or family name:
First name(s):
Address:
Postcode:
Date your Statutory Maternity Pay (SMP) or Maternity Allowance (MA) pay period started:
Date you stopped or intend to stop receiving SMP or MA:
Date you intend to return to work:
National Insurance Number:

Name of your employer:
Employer's address:
Postcode:
Address of Adoption Agency (if applicable):
Postcode:

D - Declaration of the mother of the child

You need to be able to tick all the boxes for your spouse, partner or civil partner to get ASPP

I declare that:

I am entitled to SMP or MA	<input type="checkbox"/>
This is the only application of ASPP for this child	<input type="checkbox"/>
I have told my employer the date I expect to return to work	<input type="checkbox"/>
I agree that this information will be used by the Leicester City Council to work out entitlement to ASPP	<input type="checkbox"/>
The information that I have provided is correct	<input type="checkbox"/>

Signature:	Date:
------------	-------

PART E TO BE COMPLETED BY THE LINE MANAGER

E - Manager's agreement

I have discussed the dates above with the member of staff and have authorised APL	<input type="checkbox"/>
Signature:	Date:

THE LOCAL GOVERNMENT PENSION REGULATIONS MATERNITY LEAVE

In accordance with the new rules which come into effect for women whose expected week of childbirth is on or after 1st April 2007, all employees will be entitled to 39 weeks ordinary paid maternity leave. In addition, a further period of up to 13 weeks unpaid additional maternity leave will be granted, if requested, to any employee who has at least 26 weeks continuous local government service at the end of the 15th week before the expected week of childbirth. If an employee does not have this minimum period of service then any period of unpaid additional maternity leave granted will be at the discretion of their employer.

When an employee goes on maternity leave she ceases to receive her normal salary or wages and instead as mentioned above becomes entitled to maternity pay. However, all maternity pay received is treated as pay for pension purposes i.e. as if the employee had been at work, as such pension contributions are deducted automatically from such payments in order to maintain continuity of pensionable service.

Contributions are not however automatically deducted in respect of any period of unpaid additional maternity leave, resulting in the period in question not counting for pension purposes unless the employee makes an election for it to count. If such an election is made the amounts payable will depend on whether or not the employee has more than 1 year's continuous local government service at the beginning of the 11th week before the expected week of childbirth. The amounts payable would be based on the following:

- A. Over 1 years' service - Statutory Maternity Pay only (currently £136.78 per week as at 7th April 2013)
- B. Under 1 years' service - Full rate of pay immediately before the maternity leave began.

If the employee opts to pay the arrears of contributions in respect of the unpaid period, they would normally be collected on her return to work, or at the end of her maternity leave if she does not return. The effect of making such a payment is that the whole period of maternity leave then counts as service for pension purposes and would be taken into account in calculating any benefits under the Scheme, as though full pension contributions had been paid during a normal period of employment.

A decision to pay contributions must be made no later than 30 days after the employee returns to duty, or if they do not return, 30 days after the end of their maternity leave period. An option form is attached, which when completed should be returned through your Human Resource Section to the Pensions Section.

If you require any additional information on the pension implications of commencing a period of maternity leave, please contact the pensions Section directly who will be pleased to help you.

LEICESTERSHIRE COUNTY COUNCIL PENSION FUND
MATERNITY ABSENCE OPTION FORM

Please cross out the paragraph which does not apply to you.

- A. I wish to pay contributions to the Leicestershire County Council's Pension Fund in respect of my unpaid period of additional maternity leave based on the amounts indicated on the attached notes.
- B. I do not wish to pay contributions to the Leicestershire County Council Pension Fund in respect of my unpaid period of additional maternity leave.

Signature Date

Full Name

National Insurance Number

Employing Department

Date Paid Ordinary Maternity Leave Commenced

Date Unpaid Additional Maternity Leave Ended

Home Address

.....

.....

This form when completed should be returned to the Pay & Benefits Team, 3rd floor, Sovereign House, 17 Princess Road West, Leicester, LE1 6TR