

## **Safeguarding and Welfare Requirement: Staff Qualifications, Training, Support and Skills**

Providers must ensure that staff attend regular meetings to ensure their safety and the safety of the children.



### **3.5 Expectant Mothers and Maternity Leave**

#### **Policy statement**

Upon written notification of a pregnancy the setting will undertake risk assessments on the employee to ensure their safety and to notify them of the following procedures.

#### **Procedures**

- Staff members must inform the setting Manager of their pregnancy in writing as soon as possible.
- Upon notification of a pregnancy, risk assessments will be undertaken on the member of staff and identify any changes necessary to protect the member of staff and their unborn baby's health.
- The setting manager will review the risk assessments at regular intervals during the pregnancy and make adjustments if necessary to duties and working hours. The member of staff will be involved in discussions about these adjustments and any changes will be confirmed in writing by the setting manager.
- If the member of staff needs to take time off during their contracted hours to attend antenatal appointments, they will be paid their normal rate of pay for the duration of the appointment. Travelling time will not be paid and evidence of the appointment will need to be shown to the setting manager e.g. appointment card/letter/medical certificate.
- Staff members cannot take paid time off for antenatal appointments until they have informed the setting manager of their pregnancy.
- If at all possible members of staff are to try to avoid taking time off work when they can reasonably arrange examinations outside working hours.
- The setting manager will discuss with the member of staff when they would like their maternity leave to commence. The earliest maternity leave can start is usually the 11<sup>th</sup> week before the baby is due. The member of staff will need to put this date in writing to the staff manager.
- If the staff member wishes to change the maternity leave date, they will need to give the staff manager at least 28 days' notice in writing from the date they want to go on maternity leave.
- Staff members are entitled to 26 weeks of ordinary maternity leave and 26 weeks of additional maternity leave, making 52 weeks in total, provided they meet certain requirements which the staff manager will discuss with them.
- It will be calculated if the member of staff is entitled to receive statutory maternity pay (SMP) or maternity allowance (MA). In order to receive SMP or MA the member of staff must meet qualifying conditions based on the length of the staff members' employment and how much they earn.
- Staff members are entitled to any pay rises/bonus's and improvements in terms and conditions given during maternity leave.

- Staff members continue to be paid holiday entitlement in line with their terms and conditions in August whilst on maternity leave.
- Staff members can work up to 10 days during their maternity, adoption or additional paternity leave. These days are called 'keeping in touch days'. Keeping in touch days are optional - both the employee and employer need to agree to them.

### **Return to work**

- Staff members have the right to return to their job if they take only:
  - Ordinary Maternity or Ordinary Adoption Leave (the first 26 weeks of Statutory Maternity Leave).
  - Ordinary Paternity Leave
  - Additional Paternity Leave
  - 4 weeks or less of parental leave
- The rules are different if the staff member takes:
  - Additional Maternity or Additional Adoption Leave (the last 26 weeks of Statutory Maternity Leave).
  - more than 4 weeks of parental leave
- In this situation, staff members have the right to their job or a similar job (if it's not possible to give them their old job). Similar means the job has the same or better terms and conditions. If the staff member unreasonably refuses to take the similar job Pippin Pre-School can take this as their resignation.

### **Flexible working pattern**

- Staff members wishing to apply to work less hours than their normal hours on return to work, need to apply to the setting manager 8 weeks prior to the agreed return date in writing.
- Pippin Pre-School support staff members wherever possible in balancing carrying on working and caring for their child/children. Therefore, if staff members returning from maternity leave wish to reduce their normal working hours, the following shift patterns will be considered:
  - Monday to Friday 7.00 to 9.00 am
  - Monday to Friday 7.30 to 1.00 pm
  - Monday to Friday 12.00 to 4.00 pm
  - Monday to Friday 12.00 to 6.00 pm
  - Monday to Friday 3.30 to 6.00 pm
- All part time hours considered will be Monday to Friday in order to offer the consistency of care which is paramount to the children attending Pippin Pre-School.
- Staff members have the same redundancy rights as their colleagues while on maternity leave.

### **Wraparound Care**

The above policy also applies to those who attend any of the wraparound sessions provided by Pippin Pre-School

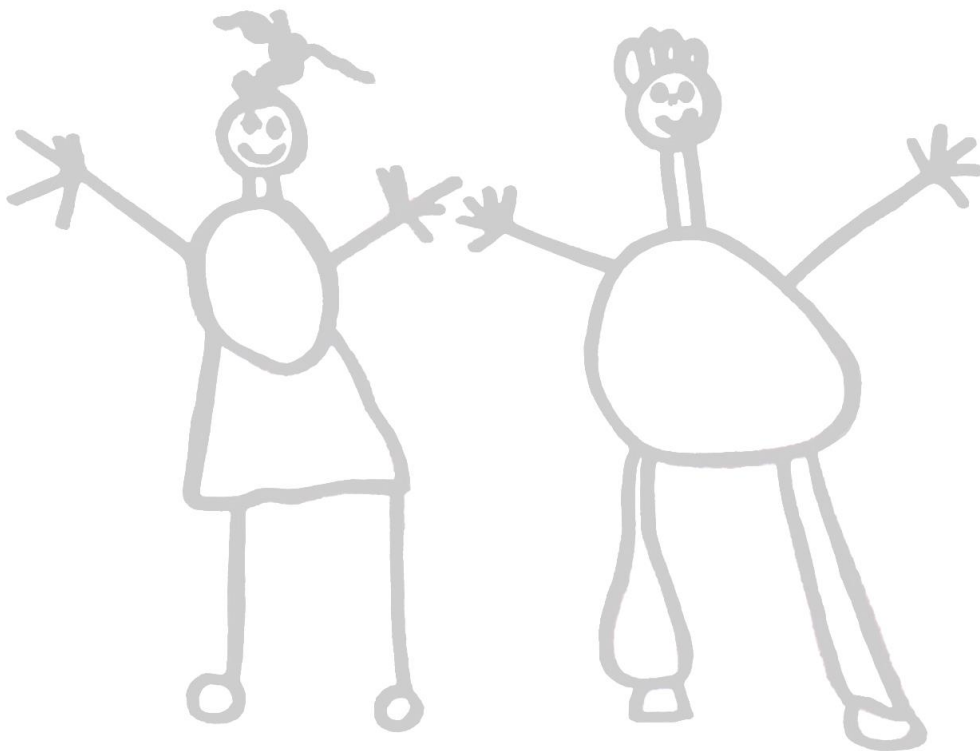
### **Legal framework**

- Employment Law

- Human Rights Act 1998

Registered Charity No. 1028855

Pippin



Pre-School