



Controlled Document

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Maternity Leave Policy

Introduction Aim of this policy

Lenham Parish Council recognises and accepts its responsibility as an employer for its staff.

The purpose of this policy and procedure is to provide clear information about our maternity provisions. This document sets out our policy on maternity leave and pay.

Time off for antenatal care

Employees are entitled to take reasonable paid time off during their normal working hours for antenatal care. Whenever possible, you should try to arrange your appointments at the start or end of your working day.

You should advise the Clerk/Chair of Staff Committee that you will be absent as far in advance of your appointment as possible. For appointments other than your first appointment, you may be asked to provide an appointment card, or some other confirmation of your appointment. You may also be asked to produce a certificate from a doctor or midwife confirming your pregnancy.

All appointments attended must have been made on the advice of a doctor, midwife or health practitioner.

There will be no deductions from your salary for attendance at authorised antenatal appointments, including any time spent travelling to and waiting for the appointment.

Statutory Maternity Leave

All employees will be entitled to take 26 weeks Ordinary Maternity Leave and 26 weeks Additional Maternity Leave, irrespective of their length of service or the number of hours worked each week.

You may not return to work during the two weeks immediately following the birth of your child.

You are free to choose when you would like your maternity leave to start. However, the earliest you can choose to start your maternity leave is during the 11th week before the expected week of your child's birth.

In certain circumstances, your maternity leave may start automatically earlier than the date you choose as the start date for your maternity leave. This applies where you are absent from work wholly or partly because of pregnancy at any time during the four weeks before the expected week of childbirth or if you give birth early.



Statutory Maternity Pay

If you have at least 26 weeks service by the end of the 15th week before your child is expected to be born, you may be entitled to Statutory Maternity Pay (SMP), provided your average weekly earnings are at or above the Lower Earnings Limit for National Insurance. SMP is payable for 39 weeks. For the first six weeks, SMP will be paid at 90% of your average weekly earnings. For the remaining 33 weeks, SMP will be paid at the standard rate which is prescribed by regulations and Page 1 of 3 Maternity Pay Policy which adjusted from time to time. The Parish Council will inform you of the applicable rate. If your average weekly earnings fall below the standard rate, SMP will be paid at 90% of your average weekly earnings throughout.

SMP will be paid subject to deductions for tax and National Insurance contributions in the normal way.

If you do not qualify for SMP, you may qualify for Maternity Allowance (MA). It is paid to women who have been employed or registered self-employed in at least 26 weeks out of the 66 week period running into the week before their baby is due. Your local Job Centre Plus can advise you about whether you qualify and how to apply. You may wish to offer more generous maternity pay. For example, you may wish to provide for full pay or half pay during all or part of maternity leave.

Procedure

In order to be eligible for maternity leave and SMP, you are required to notify the Parish Council Chairman (their nominated deputy) in writing or during the 15th week before the expected week of your child's birth. You must inform the Parish Council Chairman (or their nominated deputy) of the following:

- That you are pregnant
- The week in which your child is due
- The date you intend to start your maternity leave
- The date from which you will be claiming SMP

You should enclose a MAT B1 certificate with your written notification signed by your doctor or midwife to confirm the expected week of childbirth. The MAT B1 is the medical evidence certificate given to you by the midwife or doctor after you have been pregnant for 21 weeks.

Within 28 days of receiving your notice, the Parish Council will notify you in writing of the date when your maternity leave will end.

You may change the date you start your maternity leave provided you give at least 28 days' notice in writing of either the new start date or the original start date (whichever is earliest).

Within 28 days of receiving your notice, the Parish Council will notify you in writing of the date when your maternity leave will end.

Prior to your departure on maternity leave, the Clerk/Chair of staffing committee (or their nominated deputy) will meet with you to discuss your rights and entitlements during maternity leave, the possibility of flexible working on your return to work and the level of contact you would like with the Parish Council during your maternity leave. You should feel free to raise at this meeting any queries or concerns you have.

Contractual benefits

During Ordinary and Additional Maternity Leave, you will continue to receive your contractual benefits and your normal terms and conditions will continue to apply, except for those terms relating to wages and salary. You will continue to accrue holidays (but the holiday must be taken in the year it is earned). Your maternity leave will count towards your period of continuous service and will therefore also count towards the assessment of seniority and pension rights.

You must still give notice in accordance with your contract if you want to leave. In addition, you will continue to be bound by your obligations of confidentiality. Your pension entitlement during maternity leave will continue.

Health and safety

If pregnant employees, or employees who have recently become mothers or who are breastfeeding are employed in positions which have been identified as posing a risk to their health and safety or that of their baby, will be notified immediately and arrangements will be made to eliminate the risks. You should notify the Parish Council in writing if you are pregnant, have recently given birth and/or are breastfeeding.

If you have concerns about your own health and safety at any time you should consult with the Clerk/Chair of the staffing committee immediately.

Returning to work

You do not have to notify the Parish Council separately of your return date. It will be assumed that you will come back to work on the date the Parish Council has notified you is the end of your maternity leave period. However, if you wish to return to work before the end of your full maternity leave entitlement, you should give the Clerk/ (or their nominated deputy) at least 8 weeks notice in writing of your intended return date.

If you return to work immediately after a period of Ordinary Maternity Leave you will return to work in the same job you left before you started your maternity leave.

If you return to work from a period of Additional Maternity Leave, you will return to the same job you were employed to do. If this is not reasonably practicable, you will be offered a similar job on equally favourable terms and conditions.

If you decide not to return to work after maternity leave, you should confirm this in writing and give the notice required by your contract of employment.

On your return from maternity leave, the Clerk/Chair of the Staffing Committee (or their nominated deputy) will arrange a meeting with you to discuss any changes which have taken place during your absence. This will be an opportunity to discuss any issues relating to breastfeeding. You should also feel free to raise at this meeting any queries or concerns you have.

Keeping In Touch

An employee can work up to 10 days' during their maternity leave, in agreement with their manager, without bringing their maternity leave to an end. Working for part of a day will count as one day, and the employee will not lose any SMP (Statutory Maternity Pay) for working up to 10 days.

Work is defined as any work done under the terms of a contract of employment and may include training or any activity undertaken for the purpose of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employees whilst they are on maternity leave. If the employee does not wish to be contacted, then they should notify their line manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on maternity leave.

The rate of pay for the work will be agreed in advance with you. Your right to maternity leave and SMP will not be affected.

Flexible working

If you wish to change your working pattern on your return to work from maternity leave, you should refer to the Parish Council's flexible working policy. ([Green Book](#)). The Parish Council encourages you to let it know as soon as possible if you would like to change your working patterns as it can take some time to put alternative working patterns in place, if these are agreed.

