ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

MATERNITY RIGHTS FOR SCHOOL TEACHERS – GUIDANCE NOTES

(For school teachers’ and their managers)

Covers:

* Leave entitlement
* Pay entitlement
* Statutory maternity pay
* Keeping in touch days
* Health and Safety
* Shared parental leave
* Forms

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

MATERNITY RIGHTS FOR SCHOOL TEACHERS – GUIDANCE NOTES

1. Introduction and scope

**1.1** If you are reading these guidelines then you are probably expecting, so congratulations! This is an exciting time, but also a time for you to understand exactly what maternity leave and pay you are entitled to and to clarify other issues linked to you taking maternity leave. This document sets out all the information you need to know. Sometimes the language is quite formal as it relates to legislative or HMRC statutory requirements which we and you have to comply with in order to ensure that statutory leave and pay is applied correctly.

1.2 These maternity rights apply only to schoolteachers employed by the council and Voluntary Aided schools in the Borough. They incorporate statutory rights as set out in the Employment Rights Act 1996, as amended by the Employment Relations Act 1999 and the Employment Act 2002. The details of these rights are set out in supporting regulations: the Maternity and Parental Leave Regulations 1999, the Maternity and Parental Leave (Amendment) Regulations 2002, and the Work and Families Act 2006 together with maternity provisions negotiated by the National Employers' Organisation for School Teachers and the teacher associations.

1. Definitions

2.1 **Expected week of childbirth (EWC):** the week in which your baby is due.

2.2 **Qualifying week (QW):** for Statutory Maternity Pay - the 15th week before the week in which your baby is due.

2.3 **Statutory Maternity Pay (SMP):** SMP is pay, which a teacher may be entitled to as a result of paying National Insurance (NI) contributions. It is paid to the teacher by the council on behalf of the DWP. There are 2 rates, the higher and lower rate. SMP is paid whether or not a teacher returns to work after her maternity leave.

2.4 **Maternity Allowance (MA):** Where a teacher does not qualify to receive SMP, she may be entitled to receive an alternative Social Security benefit - the Maternity Allowance.

2.5 **A week's earnings:**

If your remuneration for normal working hours does not vary, a week's earnings is the amount payable by the council to you under the current contract of employment for working your normal hours in a week. Where there are no normal working hours, a week's pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, excluding any week in which no remuneration was earned. If you have yet to complete 12 weeks' service, the average is estimated by looking at what could reasonably be expected from the terms of the contract and other teachers in comparable jobs.

1. Maternity leave entitlement

3.1 Regardless of your length of service, you are entitled to 26 weeks’ **ordinary** maternity leave (OML) followed by 26 weeks’ additional maternity leave (AML), making a total of 52 weeks.

1. How to qualify for maternity leave

4.1 You **must** meet these notification requirements. This means:

* Notifying the school and the council of your pregnancy as soon as practicable but not later than 15 weeks (unless there is good cause) before the expected week of childbirth (EWC) that you wish to take maternity leave.
* Provide evidence of your EWC (i.e., a maternity certificate, form Mat.B1, issued by a doctor or midwife) and written notice of the date you intend to start your maternity leave. Under the Regulations[[1]](#footnote-2), to receive SMP you must give a **minimum of** **28 days’ notice before starting maternity leave.**
* Not to remain at work if certified medically unfit to do so.

4.2 If you commence maternity leave without giving the required notification it may be regarded as being on unauthorised absence and this may be treated as a disciplinary matter.

4.3 You are encouraged to notify your line manager and the HR Manager of school of your pregnancy as soon as possible in order to allow preparations to be made for cover and a maternity risk assessment to be carried out.

1. When can maternity leave commence?

5.1 The earliest date from which you can commence your maternity leave is 11 weeks before the EWC. Otherwise, you are free to choose when you wish to start your maternity leave

5.2 Having notified the school of when you want your maternity leave to commence this may be changed by giving, in writing, notice of whichever is the earlier of:

* 28 days before the date you originally intended to start your leave, or
* 28 days before the new date you want your leave to start;

unless it isn’t reasonably practicable to do so, in which case you must notify the school as soon as is reasonably practicable.

5.3 If you decide not to change the date of commencing maternity leave but still want to request unpaid leave then this is to be done in accordance with the school’s normal procedures for requesting leave. It must be remembered that no guarantee can be given that such a request can be granted.

5.4 If your maternity leave has not already started it will be triggered by the birth of your child, or if you have a pregnancy related absence/illness in the four weeks prior to your EWC. You must notify the school, in writing as soon as is reasonable, if you have given birth or you are absent wholly or partly because of pregnancy.

1. Antenatal care

6.1 During pregnancy you are entitled to paid time-off to attend antenatal appointments made on the advice of a registered medical practitioner, registered midwife or registered health visitor. It is not limited to medical examinations but may include relaxation and parentcraft classes as long a registered medical practitioner, registered midwife or registered health visitor has advised that you should attend. These appointments should be arranged with due regard to the school's management in the same way as other doctor's appointments. You must, other than for the first appointment, produce the following evidence of the appointment:

* A certificate confirming the pregnancy, and
* An appointment card or some other document showing that an appointment has been made.

6.2 Time off for Antenatal care should be requested in the same way as any other medical appointment.

1. Maternity pay entitlement

**Less than 1 year’s continuous LEA teaching service**

7.1 If you have less than one year's continuous LEA service as a teacher at the beginning of the 11th week before the EWC you may be entitled to receive 39 weeks Statutory Maternity Pay (SMP). During the additional maternity leave period you will not receive any pay, either SMP or from the council.

**At least 1 year’s continuous LEA teaching service**

7.2 If you have at least 1 year's continuous LEA service as a teacher at the beginning of the 11th week before the EWC are entitled to:

* For the first **4 weeks - full pay** inclusive of SMP
* For the following **2 weeks - 90% of normal average pay**, inclusive of Statutory Maternity Pay (SMP) or Maternity Allowance (MA).
* For the next **12 weeks - half pay and SMP** subject to the combined payments not exceeding your normal full pay, then in these circumstances only, a deduction will be made to adjust the payment to no more than normal full pay.
* For the next **21 weeks** - you will be entitled to **SMP (or MA and any dependant’s allowances, if you are not eligible for SMP).**

7.3 The 12 weeks’ half pay is subject to you notifying the school in writing of your intention to return to work and returning to your job for at least 13 weeks (including periods of school closure). In compliance with national conditions of service for teachers (Burgundy Book), where the employer agrees (i.e., the Local Authority or, in the case of Voluntary-Aided schools, the Governing Body,) a full-time teacher may return to work on a part-time basis for a period equating to 13 weeks’ full-time service. Also, where the employer agrees, a part-time teacher may return to work on a different part-time basis for a period equating to 13 weeks’ part-time service relating to her previous contract. These provisions will depend on how feasible it will be under the circumstances of individual cases to accommodate changes in teaching timetables and class cover. Should you not complete the required period of continuous service after your return, then the council reserves the right to recover the monies equalling 50% of her average weekly earnings paid during weeks 7 to 18. The SMP may be retained as it would have been payable had you originally indicated your intention not to return to work.

7.4 If you are in any doubt about returning to work you are advised to elect not to receive your half pay until you have actually returned.

1. How to qualify for statutory maternity pay

8.1 To receive SMP you must satisfy **all** the following conditions. You must:

* Have been continuously employed as a teacher by the council for at least **26 weeks** ending with the QW.
* Still be pregnant at the 11th week before the EWC or have had the baby by that time.
* Have given medical evidence of the date the baby is due at least 28 days before the maternity leave is due to start (Maternity Certificate - MATB1).
* Your average weekly earnings in the 8 weeks up to and including the qualifying week (or the equivalent period if monthly paid) has been at least equal to the lower earnings limit for NI contributions.
* Have commenced your maternity leave

1. Rates of statutory maternity pay

9.1 There are **2 weekly** rates of Statutory Maternity Pay - higher and lower.

* **The higher rate** is 90% of your average weekly earnings and is payable for the **first 6 weeks** of ordinary maternity leave.
* **The lower rate** is the lesser of SMP standard rate or 90% of your average weeklyand is payable for the **remaining 33 weeks** of the ordinary maternity pay period.

9.2 SMP is subject to the usual deductions i.e., PAYE income tax, NI, pension contributions and student loan etc.

1. Teachers who do not qualify for statutory maternity pay

10.1 If you do not qualify for Statutory Maternity Pay you may be entitled to Maternity Allowance. Entitlement to MA is based on your employment and earning in the 66 weeks ending with the week before the expected week of childbirth. You must have been employed or self-employed in at least 26 weeks and your gross earnings must be at least £30.00 a week averaged over a 13-week period.

10.2 If you wish to claim MA you should ask for an MA claim pack at the Jobcentre Plus, or maternity or child health clinic.

10.3 The council will, if you do not qualify for SMP, provide a completed SMP1 form to enable you to submit a claim for Maternity Allowance.

1. Pension

11.1 If you receive SMP or OMP then that period of maternity leave will be classed as pensionable employment. Where you do not receive any SMP or pay that period will not be counted as pensionable.

1. Return to work

12.1 There is a statutory compulsory maternity leave period of 2 weeks with no return to work possible for the 2 weeks following the birth.

12.2 There is no requirement for you to notify the school/council of your intention to return to work at the end of maternity leave. It is assumed that you will take your full maternity leave entitlement, unless you have notified a date that you wish to return which is prior to the end of your full maternity leave entitlement.

12.3 However, if you have not indicated a return-to-work date and you wish to return earlier than the end of the full 52-week maternity leave entitlement you must give 8 weeks’ notice to your head teacher if you wish to return earlier than the end of your maternity leave entitlement. It is requested that you supply this notification in writing. If you attempt to return to work earlier than the end of your ordinary or additional maternity leave without giving 8 weeks’ notice, your head teacher may postpone your return until 8 weeks’ notice has been be given.

12.4 If you are unable to return to work at the end of your maternity leave due to sickness, the normal notification and qualification rules relating to sick leave will apply.

1. Communication during maternity leave

13.1 It is hoped that you and your head teacher/school will remain in regular communication during the maternity leave and that you will advise your head teacher/school of the date of birth within a short time of the event. The head teacher/school and your colleagues would wish to hear the news and wish you and the baby well.

13.2 The school/council is allowed to make reasonable contact with you while you are on maternity leave for example ensuring you have access to information about promotion opportunities and other issues affecting your job. It is a good idea to agree contact arrangements before you commence your leave.

1. ‘Keeping in Touch’ (KIT) days

14.1 ‘Keeping in Touch’ (KIT) days enable you to work for up to 10 days during your statutory pay period without losing any statutory benefits or leave entitlement. However, the school/council is not obliged to offer such work and you are not obliged to accept it.

14.2 KIT days are likely to be used for important training events and school meetings.

14.3 Payment for KIT days will be based on your normal hourly rate for any hours worked less any occupational maternity and Statutory Maternity Pay.

14.4 For more information please refer to the Guidance on KIT days.

1. Other information

Health & Safety

15.1 Health and safety regulations place an onus on all employers to assess any workplace risks to health and safety of expectant and new mothers (those who are pregnant, those who have recently given birth, and those who are breastfeeding).

15.2 The school will carry out a risk assessment on working conditions, processes and materials to make sure they do not damage the health of the mother and teachers will be given information on any risks identified in the assessment. A copy of the Maternity Risk Assessment form can be found at the end of this document.

15.3 Should a risk be identified, the school may temporarily adjust your working conditions and/or hours e.g. temporarily stopping you from undertaking strenuous physical activity or if you provide a fit note recommending adjusted duties.

15.4 If it is not possible to adjust your working conditions, the school/council may offer you suitable alternative work (which you cannot unreasonably refuse).

15.5 If neither of the above is feasible, then you have the right to suspension on full pay, but not whilst on maternity leave. Such obligations extend from the time the council is notified that you are pregnant until 6 months after the date of childbirth (or in the event of a miscarriage) or, where you are breastfeeding beyond this period, until you stop breastfeeding.

15.6 If in the early months of pregnancy, you are advised by an approved medical practitioner to absent yourself from school because of the risk of an infectious disease, you will be granted leave with full pay, provided you do not unreasonably refuse to serve in another school where there is no such undue risk.

**Premature Birth**

15.7 If your baby is born prematurely, you should notify the school in writing. If your baby is born before maternity leave has commenced, the date of birth will be used to calculate the first day of your maternity leave.

**Maternity Leave / Sick Pay Scheme**

15.8 Maternity leave is not treated as sick leave and will not therefore be taken into account for calculation of sick leave entitlement. Absence on account of illness which is attributable to the pregnancy, subject to paragraph 3 above, (including in the event of a miscarriage), and which occurs outside the period of absence for maternity, shall be treated as ordinary absence on sick leave and shall be subject to the conditions normally governing such leave, provided it is covered by a Fit Note.

**Returning to Work / Flexible Working**

15.9 You have the right to request flexible working patterns. The school is required to give such request serious consideration. If the school agrees this will form a permanent change to your terms and conditions to incorporate the new working pattern. For further information, refer to the school’s Flexible Working on the school intranet.

**Notice Provisions**

15.10 Notice provisions if do not intend to return to work are set out in paragraph 7 of the Conditions of Service. Following a return to work, the normal provisions for termination and notice in paragraphs 3.4.1 and 3.4.2 of the Conditions of Service shall apply.

**Redundancy Protection**

15.11 From 6 April 2024, employees who are pregnant or returning from maternity, adoption, shared parental leave will gain priority status for redeployment opportunities in a redundancy situation, which is extended to employees who are on neonatal care leave from 6 April 2025. Please refer to the Schools’ Redundancy and Early Retirement Policy for further details.

**Date chart**

15.12 Included at the end of this document is a Date Chart to enable you to calculate your EWC, QW and maternity leave together with a form for notifying the school/council of your pregnancy.

**Salary sacrifice**

15.13 If you purchase childcare vouchers\* through salary sacrifice these will continue for the duration of your maternity leave, with no deduction from your statutory pay entitlement. If you purchase a cycle through salary sacrifice, contact [pay.benefits@rbwm.gov.uk](mailto:pay.benefits@rbwm.gov.uk) to discuss arrangements during your maternity leave. \* Scheme now closed to new entrants

**Savings on shopping**

15.14 You can use KAARP benefits to make savings at a range of retailers to help your household budget go further, retailers include supermarkets, Marks and Spencer, Boots, Argos and B&Q.

[Kaarp Benefits Login](https://www.kaarp.co.uk/login?ReturnUrl=%2fretail%2fall) Username RBWM Password BENEFITS

Your professional association may also offer discount schemes.

**Shared Parental leave for babies**

15.15 Shared Parental Leave provides for those taking maternity leave the option to transfer some of their statutory leave and pay to a qualifying person. Please refer to the school’s Family Leave Scheme for full details.

**Neonatal care leave**

15.16 Neonatal Care Leave is available to assist new parents of babies who are admitted into neonatal care to undergo the extremely stressful and challenging journey. Please refer to the school’s Family Leave Scheme for full details.

1. Further information

16.1 If you are uncertain about any other contractual entitlements, you should seek clarification from HR, [HR.Operations@rbwm.gov.uk](mailto:HR.Operations@rbwm.gov.uk)

16.2 The BERR booklet on maternity rights at work: what you need to know as an employee sets out your maternity rights and the requirements of the law in detail. You can download a copy by clicking on this link

<https://www.gov.uk/government/publications/maternity-rights-at-work-employees>

16.3 **(If using council’s EAP services)** The council provides a confidential counselling and information service via Care First on freephone number 0808 168 2143. The counselling service operates 24 hours a day, 365 days a year. The information service operates Monday to Friday 8am to 8pm. There is also an on-line service, with information for parents:

[https://carefirst-lifestyle.co.uk/](http://https://carefirst-lifestyle.co.uk/)

Username: RBWM

Password: RBWM

16.4 The council also has other Family Leave provisions. Refer to the Family Leave Scheme on the school intranet.

**Date Chart**

Fill in your own dates

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Weeks | **DATES**  **Sunday to Saturday of Month** | | |
| Full term pregnancy  Lasts 40 weeks | 17 |  |  |  |
|  | 16 |  |  |  |
| 15th week before birth | 15 |  |  |  |
|  | 14 |  |  |  |
|  | 13 |  |  |  |
|  | 12 |  |  |  |
| 11th week before birth | 11 |  |  |  |
|  | 10 |  |  |  |
|  | 9 |  |  |  |
|  | 8 |  |  |  |
|  | 7 |  |  |  |
|  | 6 |  |  |  |
|  | 5 |  |  |  |
| 4th week before birth | 4 |  |  |  |
|  | 3 |  |  |  |
|  | 2 |  |  |  |
|  | 1 |  |  |  |
| **BIRTH WEEK (baby due)** |  |  |  |  |
|  | 1 |  |  |  |
|  | 2 |  |  |  |
|  | 3 |  |  |  |
|  | 4 |  |  |  |
|  | 5 |  |  |  |
|  | 6 |  |  |  |
|  | 7 |  |  |  |
|  | 8 |  |  |  |
|  | 9 |  |  |  |
|  | 10 |  |  |  |
|  | 11 |  |  |  |
|  | 12 |  |  |  |
|  | 13 |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| End of Ordinary Maternity Leave | 26 weeks from start  of leave |  |  |  |
| End of Additional Maternity Leave | 52 weeks  from start  of leave |  |  |  |

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

Maternity Leave - Teachers

(Less than 1 year’s continuous LEA service)

**Complete this form if you have less than 1 year’s continuous LEA teaching service by the beginning of the 11th week before your baby is due.**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Employee no: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

School \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My baby is due in the week beginning: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I attach my **original** certificate (MATB1) confirming this:

I am pregnant and intend to take ordinary maternity leave from\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I intend to take additional maternity leave from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I intend to return to work on:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I do / do not intend to return to work following my maternity leave

(Delete as appropriate)

I understand that I must give 8 weeks’ notice of my chosen return to work date if it is earlier than the end of my ordinary maternity leave or the end of my additional maternity leave.

# Other comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I have read and understood the maternity leave guidelines.

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Please give the original copy of this form to your Manager / Headteacher and email a copy and your MATB1 to** [**Payroll.Manager@rbwm.gov.uk**](mailto:Payroll.Manager@rbwm.gov.uk)

If you have any queries, please contact [HR.Operations@rbwm.gov.uk](mailto:HR.Operations@rbwm.gov.uk)

Royal Borough of Windsor and Maidenhead

Maternity Leave – Teachers

(Over 1 year’s continuous LEA service)

**Complete this form if you have at least 1 year’s continuous LEA teaching service by the beginning of the 11th week before your baby is due.**

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Employee no: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

School \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My baby is due in the week beginning: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I attach my **original** certificate (MATB1) confirming this.

I am pregnant and intend to take ordinary maternity leave from\_\_\_\_\_\_\_\_\_\_\_\_\_

I intend to take additional maternity leave from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I intend to return to work on\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I do / do not wish to receive my 12 weeks' half pay during my maternity leave.

(Delete as appropriate)

I do / do not intend to return to work following my maternity leave

(Delete as appropriate)

I understand that I must give 8 weeks’ notice of my chosen return to work date if it is earlier than the end of my ordinary maternity leave or the end of my additional maternity leave.

# Other comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I have read and understood the maternity leave guidelines. I authorise the recovery of the proportion of the 12 week’s half pay that should be repaid if I have not worked for three months following my return to work after maternity leave.

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Please give the original copy of this form to your Manager / Headteacher and email a copy and your MATB1 to** [**Payroll.Manager@rbwm.gov.uk**](mailto:Payroll.Manager@rbwm.gov.uk)

If you have any queries, please contact [HR.Operations@rbwm.gov.uk](mailto:HR.Operations@rbwm.gov.uk)

# Maternity risk assessment

Health and Safety Legislation requires the employer to assess the risks in the workplace to women of child-bearing age and, in particular, to new, expectant and nursing mothers.

In addition to general hazards in the workplace (manual handling, chemical/biological substances, etc.) certain aspects of pregnancy should be considered that may affect or be affected by work. The following list is not exhaustive:

|  |  |
| --- | --- |
| Aspects of pregnancy | Factors in work |
| Morning sickness | Early start/shift work. Exposure to nauseating smells |
| Backache | Standing, manual handling, driving |
| Varicose veins | Standing, sitting |
| Haemorrhoids | Working in hot conditions |
| Frequent visits to the toilet | Difficulty leaving workstation, site visits |
| Tiredness | Overtime, evening work |
| Increasing size | Use of protective clothing, work in confined areas, manual handling, driving. |

As soon as the line manager has been notified in writing that the member of staff is expecting a child, the Maternity Risk Assessment Form should be completed and returned to HR. Each case should be looked at individually and a periodic review carried out.

Where the risk assessment identifies risks to new and expectant mothers, which cannot be avoided by the preventative and protective measures taken by the employer, then the employer will need to:

* Alter working conditions or hours of work if it is reasonable to do so, or
* Identify and offer suitable alternative work that is available, and if that is not feasible
* Suspend from work on full pay.

**New & Expectant Mother Risk Assessment**

|  |
| --- |
| Employers are required to conduct a risk assessment for employees, which should also include any specific risks to females of childbearing age who could become pregnant and any risks to new and expectant mothers. A risk assessment must be completed by the line manager as soon as they are informed of the pregnancy  Name of Employee:  Job Title:  Expected date of delivery (Expectant Mothers):  Actual date of birth (New Mothers):  Date of Assessment:  Date of Review: |
| Any existing Health or Wellbeing Issues: |

| **HAZARD** | **Risk Assessment**  **Including Preventative measures and Protective measures and what controls exist to reduce the risk and what actions can be taken to further reduce any risk.** | **Record any changes to the Risk assessment or any additional control measures required.** | **Record any changes to the previous review** | **Risk Rating =**    **Severity x Likelihood**  **(See table below)** |
| --- | --- | --- | --- | --- |
| **Access to facilities**  Access to work site/location  Is there access to drinking water/toilet facilities? | Staff are advised to bring their own drinks bottle, so they have access to drinking water throughout the day. |  |  |  |
| **Manual Handling**  Musculoskeletal injury Weakening of the skeletal structure  Does the job involve driving a vehicle?  Does it involve getting in and out of the vehicle many times? | Reduce amount of physical work associated with task. Physical tasks become more difficult to achieve as pregnancy progresses Carrying heavy loads to be avoided  Avoid lifting heavy items from floor level, above head height and carrying over long distances. Arrange storage so heavy items stored at mid height. Maintain high standards of housekeeping in storage areas. Get help moving any heavy items from colleagues.  Driving to and from work should be reviewed periodically as the pregnancy progresses. |  |  |  |
| **Fatigue**  Fatigue from prolonged standing or physical activity  Does the job involve shift work?  Does the job involve long periods of standing?  Is there are requirement to work overtime?  Is evening/night work involved?  Are hours arranged so that there is sufficient time to take breaks?  Are there suitable facilities within the rest area to lie down? | Aspects of the work may need to be modified as physical capability will reduced as a result of pregnancy  Avoid long periods of time standing. Task modified to provide seating or more frequent rest periods. |  |  |  |
| **Does the job involve exposure to**  Vibration  Noise  Chemicals  Exposure to bad smells?  Biological agents | New or Expectant mother must not be exposed to biological agents. Consider alternative tasks to working environment where exposure is recognized.  New or Expectant mother must not be exposed to chemical agents. Consider alternative tasks to working environment where exposure is recognized. |  |  |  |
| **Temperature / Humidity**  Lower tolerance to heat and humidity resulting in discomfort / faint | Temperature of the working environment to be suitably controlled. Individual may require access to fresh air for periods during the working day. Individual to have ready access to fresh drinking water.  Consider providing equipment to provide local heating / cooling as necessary. |  |  |  |
| **Access / Egress**  Mobility may be impaired during later stages of pregnancy | Seek to modify the individuals work task to avoid walking significant distances or negotiating flights of steps.  Personal Emergency Evacuation Plan (PEEP) assessment should be completed with the individual. |  |  |  |
| **Working at Height**  Is there a requirement for climbing on ladders or kick stools? | As pregnancy develops balance may be affected, modify task to avoid aspects of working at height. |  |  |  |
| **Lone Working & Overtime**  Long working hours or shift work patterns can affect the health of pregnant women. | Allowance made for tiredness and nausea at early stages of pregnancy. Consult with HR Business Partner team, Occupational health and individual on modification to working hours / avoidance of working outside of normal hours. |  |  |  |
| **Physical Education lessons (Schools only)** |  |  |  |  |
| **Display Screen Equipment**  Has the employee completed a VDU/DSE assessment?  Increased susceptibility to musculoskeletal disorders and deep vein thrombosis (DVT) | DSE assessment to be undertaken if not already in place. Workstation should provide adequate adjustment to allow for increase in abdominal size. Advice on posture to prevent musculoskeletal problems. Adjust working practices to avoid continuous sitting at workstation (risk of DVT)  Review DSE assessment as pregnancy progresses |  |  |  |
| **Exposure to infectious diseases:**  e.g., Legionnaire’s disease, tetanus, hepatitis, German measles, chicken pox, Covid-19 | [Infection risks to new and expectant mothers in the workplace A guide for employers (hse.gov.uk)](https://www.hse.gov.uk/pubns/priced/infection-mothers.pdf) |  |  |  |
| **Balance/Slips/**  **Trips/Falls/collision/Size**  Are there problems of working on wet/slippery floors/unstable surfaces? | Increased risk of injury due to physical change and or hormonal changes Maintain high standards of housekeeping in work area. Individual may have difficulty negotiating stairs during later stages of pregnancy. |  |  |  |
| **Welfare**  Access to toilets to protect against risk of infection and kidney disease | Provision of easy access to toilet facilities and more frequent breaks from work activity.  Consideration should be given to providing access to quiet area where the individual can rest as necessary |  |  |  |
| **Violence and**  **aggression**  Does the job involve contact with members of the public i.e., home visits, counter interviews etc.? | If there is a perceived risk of violence or threat of violence or abuse, consideration needs to be given to modifying the role to reduce the risk to the individual and or make provision for staff to be available should support be required. |  |  |  |
| **Work related Stress**  Individual vulnerable to stress due to hormonal, psychological and physiological changes during pregnancy | Monitoring and reduction of risks in relation to work demands, relationships with colleagues / manager and requirements of the role. |  |  |  |

**NB Hazard data sheets & COSHH assessments must be referred to, in order to determine if the chemicals/substances used could cross the placenta & affect the unborn child/foetus.**

**Other aspects of pregnancy which may affect work to consider:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Aspects of pregnancy** | **1st risk assessment** | **Review** | **Review** |
| Varicose Veins | N/A |  |  |
| Haemorrhoids | N/A |  |  |
| Use of protective clothing | **N/A** |  |  |
| Working in confined spaces | N/A |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Date Completed** | **Completed by** | **Copy to**  **Employee** |
| **Risk Assessment** |  |  | **To be forwarded** |
| **1st Review** |  |  |  |
| **2nd Review** |  |  |  |

**Use the following table to score the risk and place the score in the risk rating column of the risk assessment.**

**RISK RATING:**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **A = SEVERITY** | | **B = LIKELIHOOD** | | **C = RISK RATING SCORE** | |
| **1** | **Minor injury e.g. bruise, graze** | **1** | **Unlikely to happen at all** | **1-2** | **Low or trivial risk. No action required.** |
| **2** | **Will need medical attention/ 1 day off work** | **2** | **Not likely to happen** | **3-5** | **Fairly low risk. Low priority but keep possible action in mind.** |
| **3** | **Temporary/3 days off sick** | **3** | **Highly likely to happen** | **6-9** | **Medium risk. Look at controls and reduce risk** |
| **4** | **Serious injury/long term illness** | **4** | **Will almost certainly happen** | **10-15** | **High risk. Take immediate action to control the risk** |
| **5** | **Dying or being permanently disabled** | **5** | **Will definitely happen** | **16 -25** | **Stop! Do not undertake activity until risk is controlled** |

**Once completed please give a copy to the employee and send a copy to** [**HR.operations@rbwm.gov.uk**](mailto:HR.operations@rbwm.gov.uk) **for the personal file. Contact** [**Health.Safety@RBWM.gov.uk**](mailto:Health.Safety@RBWM.gov.uk) **if you need further advice.**

**RBWM Maternity risk assessment – assessment for maternity suspension**

|  |
| --- |
| **NAME OF EMPLOYEE:**  **JOB TITLE:**  **LOCATION:**  **EXPECTED DATE OF CHILDBIRTH:** |

|  |  |
| --- | --- |
| **Hazards:** | |
| **Preventative measures:** | |
| **Protective measures:** | |
| **Adjustment to working conditions/hours:** | |
| **Redeployment efforts:** | |
| **Suspension rationale:** | |
| **Recommendation:** | |
| Recommended by **Signed:** | **Authorised by**  **Signed:** |
| **Name:** | **Name:** |
| **Position: Manager** | **Position: Head teacher** |
| **School/Team:** | |
| **Date:** | **Date:** |

|  |
| --- |
| **For HR use only** |

1. 28 days notice is a requirement of s.164(4) Social Security Contributions and Benefits Act 1992 for the payment of Statutory Maternity Pay. [↑](#footnote-ref-2)