**MATERNITY AND ADOPTION FAQ’S**

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**Maternity FAQs**

**Q I have just found out that I am pregnant, when do I need to tell my manager?**

A. It’s best to let your manager know as soon as you personally feel that it is safe to. Your manager will undertake a risk assessment to make sure that you can work safely. You should always tell your manager about your pregnancy no later than 15 weeks before the expected week of childbirth (EWC) and provide them with the MATB1 form provided by your healthcare professional.

**Q. What is the Expected Week of Childbirth (EWC)?**

A. The week in which your baby is due is referred to as the EWC - Expected Week of Childbirth. The EWC starts on the Sunday before the date your baby is due. Your maternity leave canoe start prior to 11 weeks before your EWC.

**Q. How much notice do I have to give before I go on maternity leave?**

A. You should give your manager 21 days notice of your intention to go on maternity leave. However, you can subsequently change your mind and vary the date. In this case If you wish to change the date on which you start your maternity leave, you should give as much notice as possible, taking into account the needs of the service and the impact on your pay.

**Q. If I wish to work right up to the expected date of birth, can I do so?**

A. If you wish, you can work up to the expected date of birth. Ultimately, you are free to decide when your maternity leave will commence. Where there is concern about your continued health and safety, any decision about your start date for leave may have to be taken in conjunction with your manager and/or occupational health.

**Q. What happens if my baby comes early before I have started my leave?**

A. Your maternity leave will start automatically the day your baby is born, even if this is before your notified date of starting your maternity leave.

**Q. Do I have to take all of the maternity leave I am entitled to if I don't want to take any unpaid leave?**

A. No, you do not have to take all of your entitlement. The only requirement is that you are on compulsory maternity leave for the two weeks after the birth of your baby.

**Q. What happens if I have a period of sickness absence before my maternity leave?**

A. If you have a period of sickness absence prior to the beginning of the fourth week before the expected week of childbirth this will be treated as sick leave. If the absence continues after the planned start date of maternity leave, then this date may need to be reconsidered.

If you are absent from work because of pregnancy-related sickness absence or childbirth after the beginning of the fourth week before the expected week of childbirth, then your maternity leave will be automatically triggered.

**Q. Is there anything I need to do while I am on maternity leave?**

A. With the agreement of your manager you may, if you choose, work for up to 10 keep in touch (KIT) days during your maternity leave. For instance you might like to attend a team meeting, training or a conference. You also need to notify your manager if you choose to return early from your maternity leave.

**Q. What happens with my annual leave?**

A. Your annual leave continues to accrue during your maternity leave. You may use any accrued leave entitlement within 6 months of your return to work. All leave must be agreed by your manager.

**Q. What happens about bank holidays that fall during my maternity leave?**

A. You will continue to accrue any bank holidays that fall during your maternity leave. With the agreement of your manager you may take these days after your maternity leave.

**Q. My manager has advised that he would like to maintain reasonable contact with me whilst I am off; what does that mean?**

A. To make the transition back to work upon your return we will keep you up to date with the latest goings-on at RBKC; internal vacancies, team meeting minutes etc., But don’t worry we won’t bombard you.

**Q. Can I work part-time when I return to work?**

A. You have the right to return to your job at a reduced number of hours gradually increasing to the contractual total within a maximum period of three months if you wish (refer to the Returning to Work section). You will still be entitled to your full time annual leave entitlement for these 3 months.

If you wish to use some of the annual leave you have accrued whilst you have been on maternity leave, you may if you wish complement your part time hours with annual leave in order to be paid full time.

As the parent of a young child, you also have the right to request permanent part-time working or other flexible working arrangements. Please refer to the **Flexible Working Policy.**

**Q. What should I do if I want to continue breastfeeding after I return to work?**

A. Your manager must respect your right to continue breastfeeding when you return to work and should make every effort to accommodate your needs. Your manager must arrange for a health and safety risk assessment in order to identify any risks.

As your employer, RBKC is required to provide you with a private room where you will not be interrupted, in which to express your milk, suitable rest periods and access to a refrigerator in which you can store your milk.

**Q. I have only just come back from maternity leave, and I am pregnant again.  Will I still be entitled to paid maternity leave?**

A. This depends on when your unpaid maternity leave finished, and when you would be entitled to start your new maternity leave.  If you were on unpaid maternity leave in the 15th week before your 2nd baby is due, you will not be entitled to SMP. But you will be entitled to occupational maternity pay, i.e. 6 weeks full and 20 weeks' half-pay.

**Q. What happens to my Season Ticket Loan when I am on maternity leave?**

A. The Zone Allowance continues to be paid in full while an employee is on maternity leave.

**Q. Will I have to repay my occupational maternity pay (OMP) if I do not return to work?**

A. Employees who do not return from maternity leave and work for three months will have to repay their occupational maternity pay (OMP).

**Adoption FAQ’s**

**Q. What happens if I change my mind about when I want to go on adoption leave?**
A. Once you have given notice of the date that you intend the leave to begin on, you can subsequently change your mind and vary the date. In this case If you wish to change the date on which you start your adoption leave, you should give as much notice as possible, taking into account the needs of the service, the impact on your pay.

**Q. Do I have to take all of the adoption leave I am entitled to if I don’t want to take any unpaid leave?**
A. No, you do not have to take all of your entitlement. The council encourages you to take at least two weeks’ adoption leave after the actual date of placement of your child.

**Q. What happens if I have a period of sickness absence before my adoption leave?**A. If you have a period of sickness absence prior to the beginning of the fourth week before the expected week of placement this will be treated as sick leave. If the absence continues after the planned start date of adoption leave, then this date may need to be reconsidered.

**Q. Is there anything I need to do while I am on adoption leave?**A. With the agreement of your manager you may, if you choose, work for up to 10 days during your adoption leave. You also need to notify your manager if you choose to return early from your adoption leave (refer to the Returning to Work section).

**Q. What happens with my annual leave?**
A. Your annual leave continues to accrue during your adoption leave. You may use any accrued leave entitlement within 6 months of your return to work. All leave must be agreed by your manager.

**Q. What happens about bank holidays that fall during my adoption leave?**A. You will continue to accrue any bank holidays that fall during your adoption leave. With the agreement of your manager you may take these days after your adoption leave.

**Q. Can I take adoption leave as a secondary adopter?
A.** Where a couple jointly adopt a child, one of the couple (primary adopter) may claim adoption leave, and the other may claim paid paternity (maternity support) leave, please refer to the maternity support leave policy. For information on Shared Adoption Parental Leave and Pay please refer to the policy.

**Q. I am a foster parent who would like to adopt does this policy apply to me?**A. A foster parent can take adoption leave, but only if:
- The child that the employee fostered is then matched with them for adoption by UK adoption agency. Adoption via a court order does not count.
- The child is then actually placed with them for adoption.
Adoption leave is not available to special guardianships.

For full details please contact HR.

**Q. Can I work part-time when I return to work?**A. You have the right to return to your job at a reduced number of hours gradually increasing to the contractual total within a maximum period of three months if you wish (refer to the Returning to Work section). You will still be entitled to your full time annual leave entitlement for these 3 months.

If you wish to use some of the annual leave you have accrued whilst you have been on adoption leave, you may if you wish complement your part time hours with annual leave in order to be paid full time.

As the parent of a young child, you also have the right to request permanent part-time working or other flexible working arrangements. Please refer to the Flexible Working Policy.

**Q. Can I take time off for adoption appointments/meet the child?**

A. The main adopter will be able to take off for up to five adoption appointments.

The secondary adopter will be entitled to take unpaid time off for up to two appointments.