

## **MATERNITY LEAVE AND PAY: FAQs**

### **How much time can I have off?**

Statutory maternity leave lasts for 52 weeks. If you're in employment you're allowed to have 26 weeks 'ordinary maternity leave' and then 26 weeks 'additional maternity leave'.

### **Do I get maternity pay for all of that time?**

You only receive Statutory Maternity Pay (SMP), through your employer. From up to 39 weeks out of 52.

### **Am I eligible for SMP?**

You must have been employed by your employer, without a break, for at least 26 weeks into the 15<sup>th</sup> week your baby is due, you must earn an average of at least £87 per week (before tax).

### **How much is SMP?**

You'll receive 90% of your average weekly earnings for the first six weeks and then up to £124.88 (2010) for the remaining 33 weeks.

### **What happens if I don't qualify for SMP?**

You may be entitled to Maternity Allowance £124.88 (2010) available through JobCentre Plus).

### **How much is Maternity Allowance?**

The standard rate for is £117.18 (from April 2008) or 90% of your average weekly earnings, whichever is the least, and it's paid for 39 weeks.

### **When must I notify my employer?**

You must give them at least 15 weeks' notice. You should tell them when the baby's due and when you want to start your maternity leave. If you want to change this date later, you have to give your employer 28 days' notice of the date change.

### **What happens after I've told them?**

Your employer will then write to you, within 28 days, to let you know the date when your maternity leave will end.

### **When can I start my maternity leave?**

You can start it anytime from 11 weeks before the beginning of when your baby is due. If you happen to be off work four weeks before your 'due date, of birth because of pregnancy, your employer can make you start your maternity leave.

**Do I have to take all of the leave?**

No. By law, you only have to take two weeks (or four weeks if you're a factory worker) after the birth of your baby.

**What happens if I lose my baby?**

You can still take maternity leave if your child is still born after 24 weeks of pregnancy or born alive at any point of the pregnancy.

**What happens to my holiday entitlement while I'm on maternity leave?**

During ordinary maternity you'll still accrue your normal holiday entitlement. But during additional, maternity leave you'll only have the statutory minimum (4.8 weeks or 24 days if you work full time), unless your contract says different).

You can add holiday to the start or end of your leave, but it may not be possible for you to carry over untaken holiday if your maternity leave goes over two holiday years.

**What happens if I get pregnant again during maternity leave?**

You're allowed to have further ordinary and additional maternity leave.

**Do I have to let my employer know that I'm returning to work?**

If you take all of your leave, then no, but it is always a good idea to let them know that you're coming back. If you're not returning to work, then you should notify them.

**What if I don't want to take all of my leave?**

You must give your employer at least 8 weeks' notice that you're coming back early.