



Maternity Leave Guidance for Teachers

Maternity Leave, Maternity Pay & Shared Parental Leave (SPL)

As a teacher your contractual rights to leave and pay are determined by the Conditions of Service for School Teachers 'the Burgundy Book')

1. Starting maternity leave

- You must provide a MATB1 form (you will normally receive this when you are around 20-22 weeks pregnant from your midwife)
- Maternity leave starts on the date you choose but cannot be no earlier than 11 weeks before your expected week of childbirth (EWC)

2. Maternity leave cannot be paused

- Maternity leave runs once and continuously.
- If maternity leave is ended early (curtailed):
 - Maternity leave ends permanently
 - Maternity pay ends permanently

3. Occupational Maternity pay (OMP) for teachers (Burgundy Book)

If eligible, occupational maternity pay is:

- Weeks 1–4: Full pay (less SMP)
- Weeks 5–6: 90% of average weekly earnings (inclusive of SMP)
- Weeks 7–18: Half pay + SMP (up to full pay*)
- Weeks 19–39: SMP only
- Weeks 40–52: Unpaid

Your average weekly pay is calculated based on the pay before your 'qualifying week' (QW)

As you are paid monthly this is based on the regular pay included in two payslips; the payslip 8 weeks before your QW and the payslip on or before the Saturday of your QW.

Eligibility

- Have at least one year's continuous local authority service by 11 weeks before the expected week of childbirth (EWC)
- Be employed at the start of maternity leave
- Return to work for at least 13 weeks

Important: To keep the OMP element, you must return to work for at least 13 weeks. If you do not, the OMP payments made to you will need to be repaid (SMP is not repayable)

Statutory Maternity Pay (SMP)

You must:

- Have 26 weeks' service by the 15th week before the expected week of childbirth
- Earn at least the Lower Earnings Limit
- The current SMP weekly rate is £187.18 per week (April 2025-March 2026)



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5. Shared Parental Leave (SPL)

- SPL is available only if maternity leave is ended early (curtailed)
- Unused maternity leave/pay converts into SPL and Shared Parental Pay (ShPP)
- SPL can be taken by either parent, together or separately, and in blocks (by agreement)
- You are required to complete a separate form for each notification of SPL you wish to take and provide the required amount of notice.
- SPL is a statutory entitlement and does not include any enhanced payments.

6. Pay during SPL

- Weeks on SPL: Paid ShPP only (if paid weeks remain), otherwise unpaid
- Weeks worked: Paid normal salary
- Taking SPL in blocks does not pause or reset paid entitlement

7. Partner taking SPL

- You may end maternity leave and return to work while your partner takes SPL
- While working, you are paid normal salary
- You cannot later return to maternity leave or maternity pay

8. How ShPP is calculated

- Uses the same earnings period as maternity pay:
 - The 8 weeks ending with the 15th week before the EWC
 - The current ShPP weekly rate is £184.03 per week (April 2025-March 2026)

9. SPL in relation to return to work criteria

- The 13-week return period starts when you actually return to work
- Returning while your partner takes SPL counts
- Only weeks worked count (SPL weeks do not)

***Half pay plus SMP (not exceeding full pay)**

Example:

Normal weekly pay: £400

Half pay = £200

Statutory Maternity Pay (SMP): £187.18

£200 (half pay) + £187.18 (SMP) = £387.18

Because £387.18 is less than £400, the employee receives both half pay AND full SMP.

If half pay + SMP would be more than full pay, pay is capped at £400.

Only the employer's half-pay top-up is reduced, SMP is not reduced.