

Maternity Leave and Pay Policy

1. About this Policy

The purpose of this policy is to ensure that clergy office holders are clear about entitlements to maternity leave, the process that should be followed for arranging leave, and the terms that apply after maternity leave.

The Diocese recognises and respects the rights of expectant and recent mothers taking time away from their ministry in connection with their maternity and childbirth and they will not be subjected to a detriment for exercising their right to take maternity leave, or for seeking to do so.

This is a statement of policy and does not form part of clergy Statement of Particulars. We may amend this policy at any time at our discretion.

2. Definitions

The following key definitions are used in this policy:

Expected Week of Childbirth (EWC): the week, starting on a Sunday, in which the office holder's doctor or midwife expects her to give birth.

EMP: Enhanced maternity pay / Diocesan occupational maternity pay

3. What is maternity leave and who is eligible to take it?

Maternity leave is the right for clergy office holders to take up to 52 weeks of leave in connection with their pregnancy and/or birth of their child. Pregnant clergy also have the right to time off work for antenatal appointments.

To be eligible for maternity leave clergy must:

- a. be an office holder, and not a self-supporting minister.
- b. comply with the notification requirements set out in this policy.

The right to take maternity leave is not dependent on tenure as an office holder.

4. Giving notice of pregnancy

In all cases we ask that an Incumbent/Bishop is notified of pregnancy at least 15 weeks before the EWC. Office holders should provide a certificate from a doctor or midwife (this will usually be on a MAT B1 form) as well as details of when they would like maternity leave to start.

5. Antenatal appointments

During pregnancy expectant office holders may take time off from work to attend antenatal classes (including parenthood and relaxation classes) whatever their tenure or hours of work. This will not impact stipend payments.

6. Health and safety during pregnancy

As well as our normal health and safety responsibilities owed to all clergy, when we hear about pregnancy, we will run two additional workplace and accommodation assessments: one in the second trimester, and in the third. Any risks identified, along with suggested measures which should be taken to ensure additional safety, will be discussed and necessary changes implemented. In some cases, we may need to take steps to protect against health hazards that may include having to:

- change to work arrangements, on terms and conditions that are the same or not substantially less favourable, or
- suspend from duties on full stipend

7. Sickness

Pregnancy-related sickness will be treated as any other period of ill-health and will not be considered for the purpose of any structural decisions relating to the parish.

During the 4 weeks immediately before EWC, any sickness absence will normally automatically trigger the start of maternity leave.

8. Starting maternity leave

Maternity leave cannot start earlier than 11 weeks before the EWC (unless premature birth occurs) and can be amended by giving written notice at least 28 days before the earlier of either the new start date or the original start date. If it is not possible then we ask for notice to be provided as soon as reasonably practicable.

Office holders may not work during the 2 weeks immediately after giving birth, by law, so the maternity leave period must include these 2 weeks.

Office holders should discuss with their Incumbent/Bishop the arrangements for maternity cover. and if they have appetite for keeping in touch (KIT) during leave.

9. During maternity leave

10 days may be worked without bringing maternity leave to an end enabling office holders to “keep in touch” (KIT). Any work during leave must be by agreement and cannot be forced. KIT days do not need to be consecutive but should be used for any work-related activity including retreats or meetings. Working for part of a day will count as one day’s work.

Any KIT days worked will not extend the maternity leave period beyond 52 weeks and will not bring total pay beyond 39 weeks’ full stipend.

An Incumbent and/or Bishop may also make reasonable contact with an office holder during their leave, for example, to discuss return to work.

10. Maternity pay

With the exception of self-supporting ministers and ordinands in training, office holders are entitled to 39 weeks leave at full stipend (this is inclusive of the first 2 weeks compulsory time off following childbirth). Any additional time taken (taking leave up to a maximum of 52 weeks) will be unpaid.

All other benefits such as housing, as outlined in your Statement of Particulars, will remain in place.

11. Taking holiday

Where possible, accrued annual holiday entitlement should be taken before maternity leave commences. It will continue to accrue throughout maternity leave but cannot be taken whilst away; it should instead be scheduled for a date after the leave has ended. Where it is not possible to take holiday in the year it accrues (due to being on maternity leave) it will be carried over into the next year.

12. Expected return date

Office holders should confirm the date that they expect to return to work within 28 days of the initial notification of pregnancy. If, for any reason, the maternity leave start date changes, such as premature birth, we will confirm the revised return date within 28 days of the start of maternity leave.

If there are no changes to the return date no further action is required, however, office holders should speak with their Incumbent/Bishop if an earlier or later return is envisaged offering at least 8 weeks' prior written notice of the new date. If an extended time is sought office holders you should either:

- request ordinary parental leave
- request to take annual leave in accordance with their Statement of Particulars.

If sickness prevents an office holder returning on the planned date, then the normal policy relating to sickness absence will apply.

If office holders decide not to return to work at all then they must give notice of resignation in accordance with their statement of particulars.

13. Stillbirth

Office holders should contact their Incumbent/Bishop in the event of a stillbirth or miscarriage in the first 24 weeks of pregnancy. A period of sick leave and/or compassionate leave may be arranged as appropriate.

Entitlement to maternity leave and pay is extended to anyone who experiences a stillbirth, in or after, the 25th week of pregnancy.

14. Data protection (GDPR)

When managing clergy maternity leave and pay, the Diocese processes personal data collected in accordance with its data protection/processing special categories of personal data policies. Data collected from the point at which pregnancy is announced, is held securely, and accessed by, and disclosed to, individuals only for the purposes of managing maternity leave and pay. Inappropriate access or disclosure of data constitutes a data breach and should be reported in accordance with the Dioceses' data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.