



Maternity Leave: Your Rights and What to Expect – A Jobasaurus Guide

Welcoming a new baby should be one of the happiest times of your life – not a moment filled with uncertainty about your job security. At Jobasaurus, we're here to make sure you understand your maternity leave rights and feel confident every step of the way.

From Statutory Maternity Leave (SML) to Statutory Maternity Pay (SMP) and everything in between, here's your comprehensive guide.

Know Your Rights During Pregnancy and Maternity Leave

If you're employed, you have the right to:

- Stay protected from dismissal due to pregnancy
- Receive alternative suitable work if your current role isn't safe
- Take paid time off for antenatal appointments
- Take maternity leave and receive maternity pay
- Return to the same or similar role after your leave

What Is Statutory Maternity Leave (SML)?

Most employed mothers in the UK are entitled to 52 weeks of maternity leave:

- 26 weeks Ordinary Maternity Leave
- 26 weeks Additional Maternity Leave

You must take at least 2 weeks off after giving birth (4 weeks if you work in a factory).

You qualify for SML if you:

- Are employed by a company (regardless of your hours, pay, or length of service)
- Inform your employer at least 15 weeks before your due date
- Provide a MAT BI certificate from your midwife or GP

You can start maternity leave from 11 weeks before your due date. If you're off due to pregnancy within 4 weeks of your due date, your maternity leave will begin automatically.

What Is Statutory Maternity Pay (SMP)?

You may be eligible for 39 weeks of SMP if:

- You've worked for the same employer for at least 26 continuous weeks by the 15th week before your due date
- You earn at least the lower earnings limit for National Insurance

SMP Breakdown:

- First 6 weeks: 90% of your average weekly earnings
- Next 33 weeks: £184.03 per week (2025/26 rate) or 90% of earnings (whichever is lower)
- Final 13 weeks: Unpaid

Your employer may offer an enhanced maternity package – check your contract!

Returning to Work After Maternity Leave

You're legally entitled to return to the same role with the same terms. If that's not possible, you must be offered a similar role with the same pay and conditions.

Keeping In Touch (KIT) Days: You can work up to 10 paid days during your maternity leave without losing SMP.

If you want to return early, give 8 weeks' notice in writing.

If redundancy occurs during SML, you're entitled to priority for suitable alternative employment.

Adoption Leave & Pay: What You Need to Know

Adoptive parents have the same rights as birth parents, including:

- Up to 52 weeks' adoption leave
- 39 weeks' statutory adoption pay
- Keeping in Touch days
- Legal protection from unfair dismissal

To qualify, you must:

- Be matched with a child
- Be employed for at least 26 weeks
- Provide proof of the adoption process

Adoption leave can begin up to 14 days before the child moves in (or 28 days after arrival from overseas).

Additional Time Off: Parental Leave

If you want more time off after maternity or adoption leave, you can request unpaid parental leave:

- Up to 13 weeks per child (18 weeks if disabled)
- For parents with at least 1 year's continuous service
- Must be the legal parent or have parental responsibility

Still Have Questions?

Visit www.jobasaurus.co.uk for more support on maternity rights, parental leave, and workplace protections.

Jobasaurus: Smarter Hiring. Fairer Workplaces.

We're here to help jobseekers and employees navigate their rights with confidence.

