

Maternity leave and pay

Checking your rights

You have the right to up to 52 weeks' maternity leave if you're having a baby and are [legally classed as an employee](#).

You have this right from your first day of starting a job.

By law, you must take at least 2 weeks off after your baby is born (4 weeks if you work in a factory). After this, how many of the 52 weeks you take is up to you.

You get the same amount of maternity leave and pay even if you have more than one baby, for example twins.

Maternity pay

You might be entitled to maternity pay when you take maternity leave.

[Find out about maternity pay](#)

Shared parental leave

If you have a partner, you might be able to use shared parental leave. This means you end your maternity leave early and what's left of your entitlement can be used more flexibly between you and your partner.

You must still take a minimum of 2 weeks' maternity leave (4 weeks if you do factory work) after your baby's born.

You can decide to take shared parental leave after you have started maternity leave, but it's best to plan it and let your employer know as early as possible.

[Find out more about shared parental leave](#)

Agency, freelance, self-employed and zero-hours workers

You must still stop work for a minimum of 2 weeks (4 weeks if you do factory work) after giving birth if you're:

- employed through an agency
- freelance
- self-employed
- on a zero-hours contract

You can choose to take more time off to look after your baby.

If you work through an agency, you need to tell them the dates you'll be off. You might be entitled to [maternity pay](#) for this time off.

What you're entitled to will depend on your employment status.

Find out more about:

- [employment status](#)
- [employment rights as an agency worker](#)

Surrogates

If you're a surrogate and [legally classed as an employee](#), you have the same rights to maternity leave and pay as other pregnant employees.

Find out more about:

- [legal rights of parents and surrogates on GOV.UK](#)
- [having a child through surrogacy](#)

Dismissal because of pregnancy or maternity

You're protected by law against unfair treatment and dismissal if it's because of your pregnancy and maternity, no matter how long you've worked for your employer. If you think you're being treated unfairly because of pregnancy or maternity, you should [raise the issue with your employer](#).

If you're dismissed while pregnant or on maternity leave, your employer must put the reason for your dismissal in writing.

If your dismissal can be linked to your pregnancy or maternity, you could make a claim to an employment tribunal for unfair dismissal and discrimination.

[Find out more about dismissals](#)