

All Human Resource Policies and Procedures have been developed in accordance with the Primary Care Trusts' Statement of Core Principles

Maternity Leave & Pay

For Babies due and born after 1 April 2007

Guidance for Staff: Your Entitlements And How To Apply

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Further information and advice is available from your Human Resources Department.
You may also seek the advice of your Trade Union Representative.

Contents

	Page
1 Entitlement to Maternity Leave	3
1.1 What is Maternity Leave	
1.2 Am I eligible for Maternity Leave & Pay?	
1.3 What are my Entitlements to Maternity Leave & Pay?	
1.4 Checking my Entitlements	
2 Before the Birth	10
2.1 Pregnant & Working	
2.2 Arranging Maternity Leave	
3 After the Birth	14
3.1 Deciding to Return to Work	
3.2 Confirming your Return	
4 Your Questions Answered	17
4.1 Issues Relating to Pay & Conditions	
4.2 Other Issues	
5 Policy Review Date	21
 Appendix 1: Maternity Application Form	 22

1. Entitlement to Maternity Leave & Pay

1.1 What is Maternity Leave?

Maternity Leave is your right to time off work to have your baby and the right to return to your job under your original contract and on no less favourable terms and conditions. You are entitled to 52 weeks' leave, irrespective of your length of service and hours worked.

Your entitlements to leave and pay will vary according to your length of service with the Primary Care Trust and with the National Health Service. Your decision about whether or not to return to work after childbirth will also affect your benefits.

This document outlines your entitlements and the procedure that you will be required to follow when taking Maternity Leave. It is also designed to answer many of the questions that you may have. However, your Human Resources Department are always on hand to discuss your own individual circumstances with you.

If your partner works for the PCT they may be eligible for Paternity leave. Please refer to the Paternity Leave policy within the Work-Life Balance Policies and Procedures.

1.2 Am I eligible for Maternity Leave and Pay?

In order to qualify for maternity benefits you must:

- Be pregnant and employed by the Trust.
- Tell the PCT that you are pregnant, your expected week of childbirth, your intention to take maternity leave and the date you wish to start leave, by the 15th week before your expected week of childbirth. (Confirmation of your due date is normally in the form of a MATB1 certificate issued at 20 weeks by your midwife or GP).
- Satisfy the relevant conditions as detailed below and/ or Statutory Maternity Pay criteria (as detailed in section 1.3 below).
- Follow the Trust's Procedure for applying for Maternity Leave. Exceptional circumstances will be considered.

1.3 What are my Entitlements to Maternity Leave and Pay? Am I entitled to Maternity Leave if I am a Bank Employee?

All employees are entitled to 52 weeks' maternity leave of absence. However you may be entitled to additional leave and some leave with pay. This is dependant on your length of service with the NHS and the Trust, and your intention to return to work.

If you undertake bank work for Bristol PCT you may be entitled to Occupational Maternity Pay, this will be dependant on the number of bank shifts/hours completed. Bank employees should therefore complete Appendix 1 and submit this to the HR department. The payroll department will then contact you to

confirm your maternity entitlements if applicable.

1.3.1 Occupational Maternity Leave and Pay

Occupational Maternity Benefits are those outlined in Section 15 of the NHS Terms and Conditions of Service Handbook and are more generous than Statutory Maternity benefits. Your eligibility to receive them is dependent on your length of continuous service **and** your intention to return to work as follows:

Length of continuous service

To qualify for Occupational Maternity Leave (a maximum of 52 weeks) and Occupational Maternity Pay (8 weeks full pay, 18 weeks' half pay) you will need to have had 1 year's continuous service with one or more NHS employers at the beginning of the eleventh week before the expected week of childbirth.

When calculating your length of continuous service please refer to the following points:

- (i) NHS employers includes health authorities, NHS Boards, NHS Trusts, Primary Care Trusts and the Northern Ireland Health Service.
- (ii) A break in service of up to 3 months is allowable (although it will not count as service). If you have a break in service of more than 3 months, please discuss this with your Human Resources Department as soon as possible.
- (iii) The following breaks in service will also be allowable (though not count as service):
 - Employment under the terms of an honorary contract;
 - Employment as a locum with a general practitioner for a period not exceeding 12 months;
 - A period of up to 12 months spent abroad as part of a definite programme of postgraduate training on the advice of the Postgraduate dean or College or Faculty Advisor in the speciality concerned;
 - A period of voluntary service overseas with a recognised international relief organisation for a period of 12 months at the discretion of the employer which recruits the employee on her return;
 - Absence on an employment break scheme (*in accordance with the provisions of the PCT's Work Life balance Policy*);
 - Absence on maternity leave (paid or unpaid) as provided for under this policy and procedure.
- (iv) Employers may at their discretion extend the period specified in points (ii) and (iii) above.
- (v) Employment as a trainee with a general Medical Practitioner in accordance with the provisions of the Trainee Practitioner Scheme shall be similarly disregarded and count as service.
- (vi) Employers have the discretion to count other previous NHS service or service with other employers. Should you have relevant non - NHS service, then please contact your Human Resources Department who will advise you whether this may be considered.

- (vii) Your continuous employment can be full or part-time however your contract must entitle you to paid sick leave.

Intention to Return to Work

To qualify for these Occupational Maternity Benefits it must also be your intention to return to work within the NHS following maternity leave for a minimum period of 3 months. If you are unsure about whether or not you will return to work you will initially receive any statutory maternity pay/allowance for which you are eligible. If you do then later decide to return to work your Occupational Pay will be reimbursed to you.

In making your decision about returning to work you may wish to consider the possibilities of varying your working arrangements for when you return. Whilst you do not need to do this until after your baby is born, you may find it helpful to discuss the range of options that may be available to you with your Manager prior to going off on maternity leave. You can also refer to our Work Life Balance (flexible working/ employee friendly) policy and procedures and / or contact your Human Resources Department for advice.

1.3.2 Statutory Maternity Leave and Pay?

Rates for Statutory Maternity Pay (SMP) are set by the Government and, if you are eligible, it is payable for a maximum of 39 weeks from the start of maternity leave. It cannot be paid before the 11th week before the expected week of childbirth and it is set at 2 rates:

- Higher Rate: payable for the first 6 weeks, equivalent to 90% of average weekly earnings
- Lower rate: payable for an additional 33 weeks, a fixed standard weekly rate or 9/10s of your weekly average earnings if this is lower than the standard weekly rate. The average must be above the National Insurance lower earnings level.

To qualify for SMP you must have had 26 weeks' continuous service with the Trust by the 15th week before your expected week of childbirth, and your gross average earnings should be above a standard minimum per week.

1.3.3 Unpaid Leave and Maternity Allowance

If you do not satisfy any of the above conditions, all staff irrespective of length of service you are entitled to 52 weeks' unpaid maternity leave.

If you do not qualify to receive statutory maternity pay (you may still be eligible for occupational pay) you may be entitled to claim a Statutory Maternity Allowance. In this case, on receipt of your MAT B1 form, your Payroll Department will return your MAT B1 form to you along with form SMP1 which you must send directly to your local Job Centre Plus or social security office to claim Statutory Maternity Allowance for yourself.

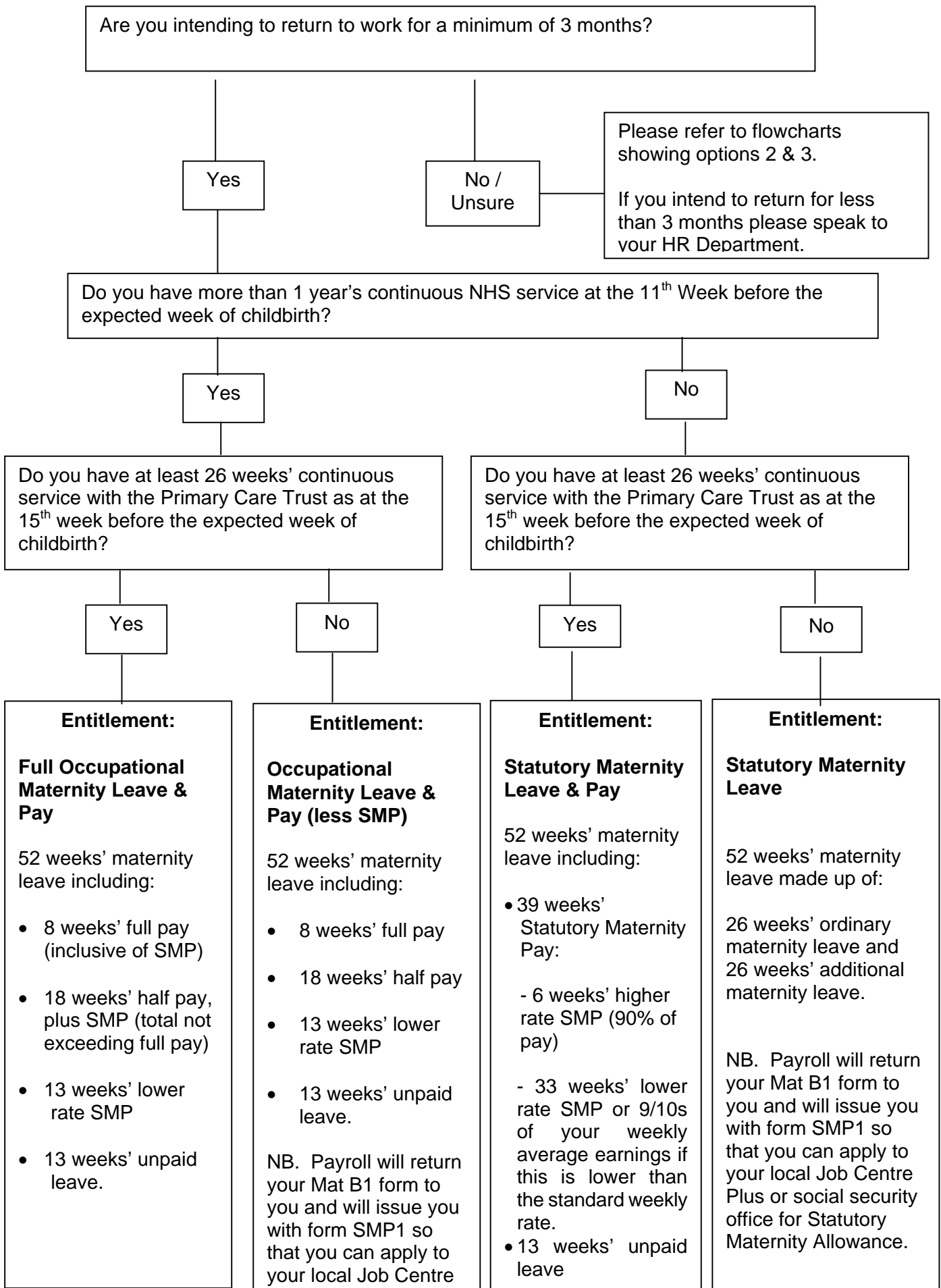
1.4 Checking My Entitlement

The flow charts found on the following pages have been designed to help you to determine your maternity leave and pay entitlements. Please refer to:

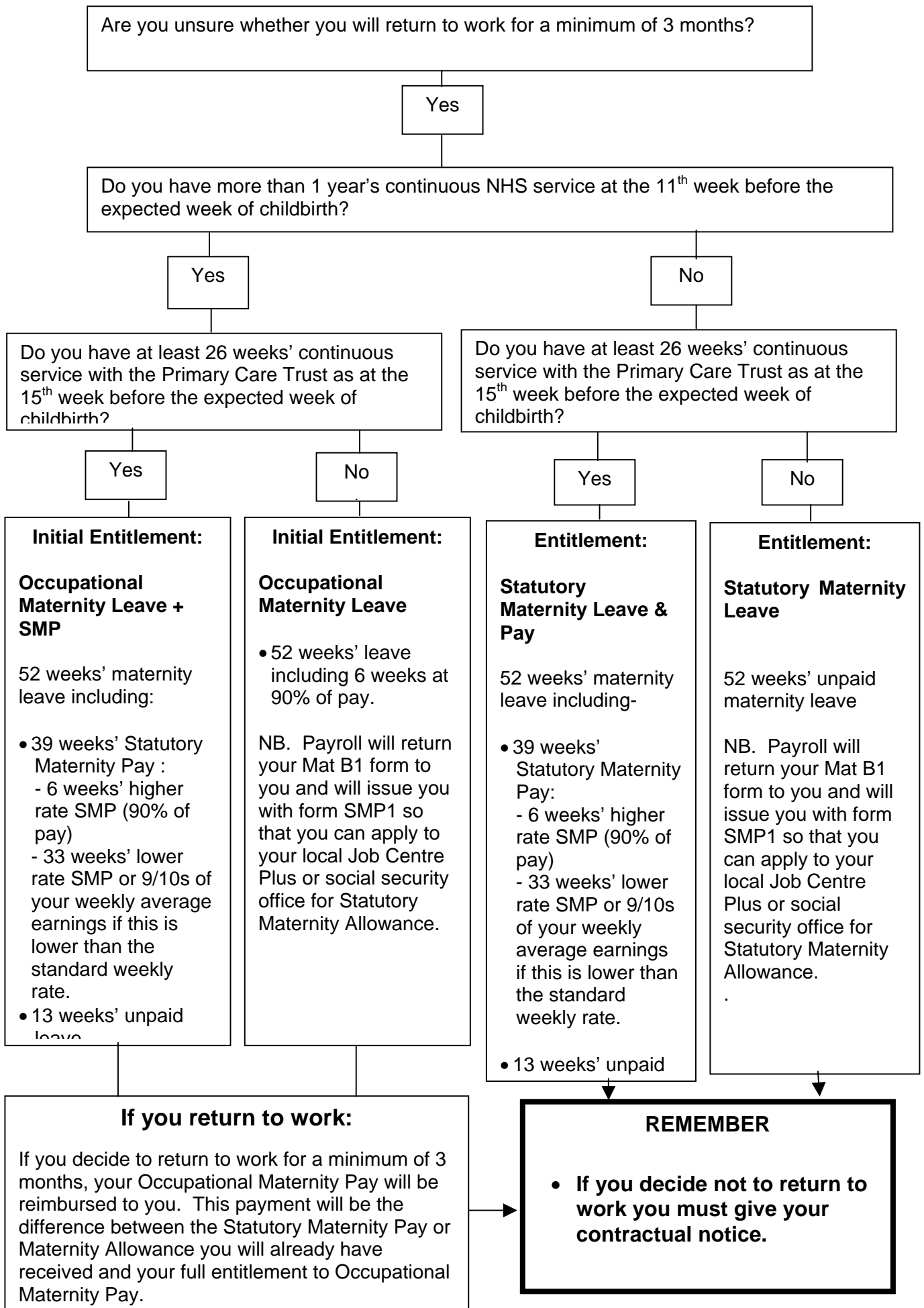
- Chart 1.4.1 Intending to return to work for a minimum of 3 months (Option 1)
- Chart 1.4.2 If you are unsure of intention to return to work (Option 2)
- Chart 1.4.3 If you are not intending to return to work (Option 3)

You will need to make a note of your preferred option on your Maternity Leave Application Form. Please ask your manager or a member of your Human Resources Department if you need any help in calculating your entitlement.

1.4.1 Intending To Return To Work (Option 1)

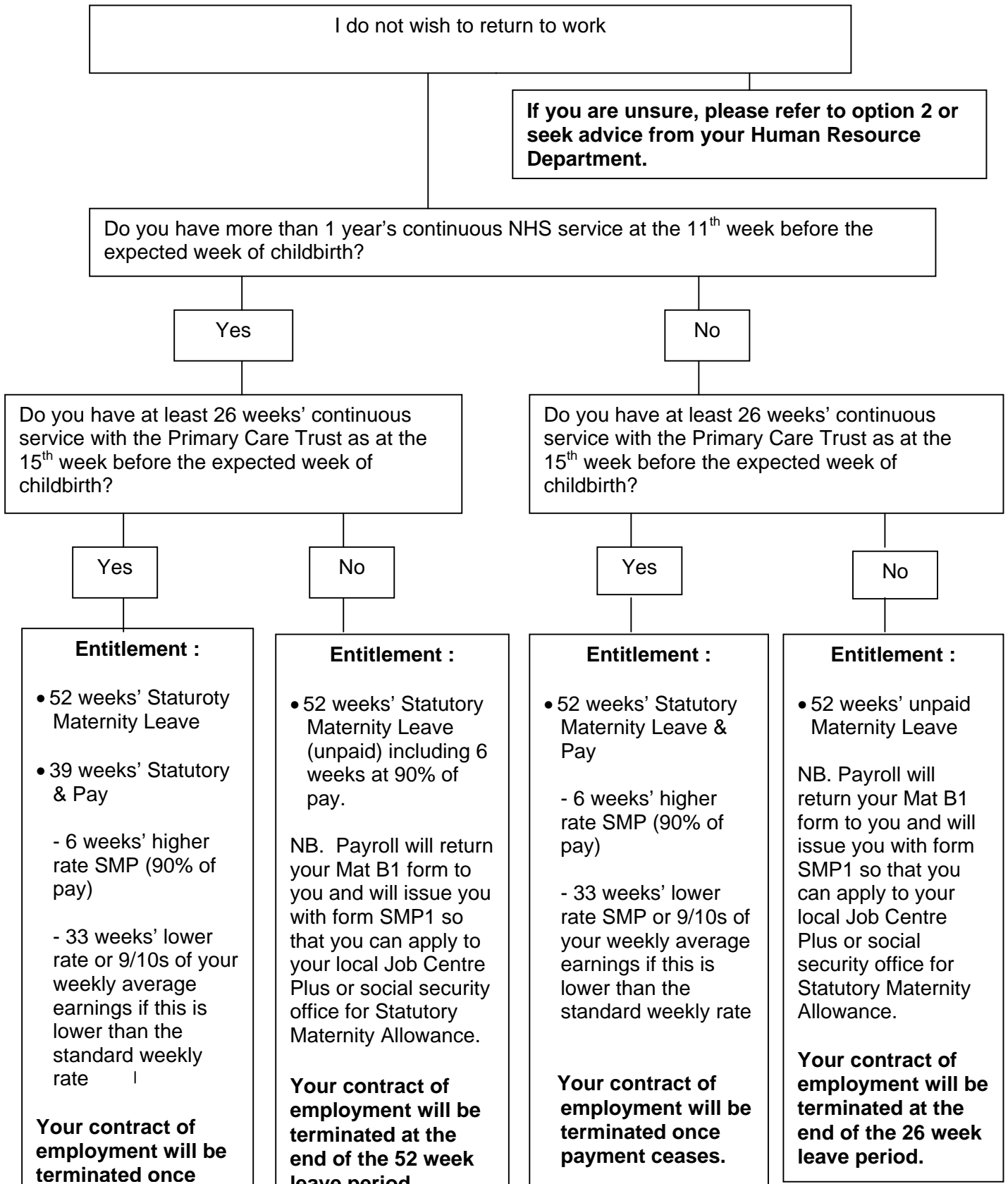


1.4.2 Unsure of Intention to Return to Work (Option 2)



1.4.3 Not Intending To Return To Work (Option 3)

Please note: If you decide to choose this option, you will be giving notice of your intention to leave the Trust and your contract of employment will be terminated at the end of your 52 weeks' maternity leave.



2. Before the Birth

2.1 Pregnant & Working

- **Who do I tell that I'm pregnant?**

After your pregnancy has been confirmed you should inform your manager of your intention to take Maternity Leave. This should be no later than the end of the 15th week before the week your baby is due or as soon as is reasonably practicable.

It is important that you discuss maternity leave with your manager as soon as possible so that suitable arrangements can be considered to cover your post whilst you are away and any potential health and safety risks can be identified and addressed. You may also find it helpful to discuss any queries you have about your maternity leave and return arrangements with your manager a while before you plan to take maternity leave. For example, if you wish to vary your working arrangements on your return, then your manager will need time to discuss your options with you and to consider the possibilities. You will not however be expected to make any firm decisions at this stage.

You may also wish to discuss your entitlements and return to work options with a member of your Human Resources Department.

- **Can I take time off for antenatal care?**

Yes. You are entitled to time off with pay to receive antenatal care (which may include relaxation and parent craft classes as well as antenatal appointments) provided that an appointment has been made and you have requested time off in advance. You may be asked to produce:

- an appointment letter or card showing that an appointment has been made,
- a certificate stating that you are pregnant. If you have trouble obtaining this then please advise your Human Resources Department and/or your manager immediately.

- **How can I avoid health and safety hazards while I am pregnant?**

The employer must arrange to carry out a risk assessment to identify any risk to your health or that of the child. The Trust will liaise with Occupational Health in relation to advice on this. If appropriate we may alter your duties or move you to another department. Your pay would not be affected. If no suitable alternatives can be found then paid leave will be given.

Helpful advice and information is given in the policy entitled "Expecting, New and Breastfeeding Mothers". If you have any concerns, you should discuss them immediately with your manager and/or your Human Resources Department.

- **When might I be considered for alternative employment during pregnancy?**

If during your pregnancy you are, in the opinion of an Occupational Health Doctor, incapable of carrying out all, or part of your duties, but are not advised to refrain from work wholly, the Trust shall, where reasonably practicable, provide alternative work for which you should receive your normal rate of pay, even though the work done may be at a lower grade. If no alternative work can be found then special paid leave may be granted. Any such arrangements would be discussed between yourself, your manager and Occupational Health.

- **What happens if I am ill prior to the start of maternity leave?**

If you are absent from work due to a pregnancy-related illness during the last 4 weeks before your expected week of childbirth, your maternity leave will normally commence at the beginning of the fourth week before your expected week of childbirth or the beginning of the next week after you last worked whichever is the later. (Not sure whether this has changed, or not) However odd days of pregnancy related illness during this period may be disregarded if you wish to continue working until your original maternity leave start date. If you are absent due to an illness unrelated to your pregnancy then the normal sick leave provisions would apply until your maternity leave begins.

Absence prior to the last four weeks before the expected date of childbirth, supported by a medical statement of incapacity for work, or a self- certificate shall be treated as sick leave and should be notified and managed in accordance with the provisions of the PCT's Sickness Absence Policy and Procedure.

- **My uniform won't fit!**

If you are required to wear a uniform for your job, arrangements can be made for you to be issued with maternity clothing. Please discuss this with your manager in the first instance.

2.2 Arranging Maternity Leave

- **When can my Maternity Leave start?**

Your Maternity Leave can start and, if applicable, your maternity pay and/or SMP can be paid at any time from the start of the 11th week before your expected week of childbirth right up until the time the baby is born. The starting date of your Maternity Leave is your decision unless you have a pregnancy related illness after the 4th week before the baby is due (see section 2.1)

- **What if I wish to change my maternity leave start date?**

If you have already agreed your start date and then subsequently want to change it, you must notify your manager of the change at least 28 days before the new start date (or if this is not possible, then as soon as reasonably practicable beforehand).

- **What if my baby is born prematurely or before my maternity leave is due to start?**

If your baby is born alive prematurely then you will be entitled to the same amount of maternity leave and pay as if your baby had been born full-term. You are required to write and inform your manager as soon as is reasonable the actual birth date of your baby. Your maternity pay will then start the day following the date of birth.

If your baby is born before the 11th week before your expected date of childbirth and you have worked during your actual week of childbirth your maternity leave will start on the first day of your absence.

If your baby is born before the 11th week before the expected date of childbirth and you have been absent from work on certified sickness absence during the actual week of childbirth, your maternity leave will start at the beginning of the actual week of childbirth.

If your baby is in hospital and was born before the 11th week before the expected week of childbirth, you may split your maternity leave entitlement taking a minimum period of 2 weeks leave immediately after childbirth and the rest of your leave following your baby's discharge from hospital. Please note however, you cannot split your maternity pay and it would continue as normal.

In the unfortunate event of a stillbirth after your 24th week of pregnancy, you will retain your original maternity leave and pay entitlements.

If you have a miscarriage before your 25th week of pregnancy, then normal sick leave provisions as detailed in the PCT's Sickness Absence Policy and Procedure will apply as necessary.

- **How do I apply for maternity leave?**

To formally apply for maternity leave you should complete the Maternity Leave Application Form (Appendix 1) and return it, together with your MATB1 Form, to your manager ideally no later than by the end of the 15th week before your baby is due.

(Your MATB1 Form confirms your expected week of childbirth and is issued by your GP or Midwife)

Your manager will, where possible, send you a written acknowledgement within 7 days and forward these forms and details of your annual leave taken and outstanding to Human Resources to be processed.

Human Resources will check your entitlements and will respond to you in writing within 28 days of your application, clearly setting out

- Your paid and unpaid occupational maternity leave entitlements or statutory entitlements as applicable.
- The date you will be expected to return to work if you take your full entitlement to

maternity leave, unless you have provided an earlier return date.

- The length of any agreed accrued annual leave which you may take following the end of your formal maternity leave period.
- Your need to give your manager & HR department at least 28 days notice if you wish to return to work before your expected return date.

Human Resources will also send a copy of your application form on to payroll and/or raise a change of conditions form to ensure that your pay is adjusted accordingly.

Please note:

You do have the right to change your mind about when your maternity leave starts providing that you give your manager 28 days' notice of when you want to take your leave (unless this is not reasonably practicable).

- **What are the arrangements for Keeping in Touch?**

Before you go on your leave, your manager should discuss and agree any arrangements for keeping in touch with you. These arrangements are voluntary but may help you to keep up to date with developments at work and nearer the time help facilitate your return to work. In turn, you could let us know about any developments which may affect your intended date of return.

You can, by mutual agreement, work for up to 10 days during your maternity leave without affecting any of your entitlements. This might be in your usual job or to attend training events. These are known as "Keeping in Touch Days" (KIT Days). You cannot however work during the first two weeks after the birth of your baby. Payment for a KIT day will not exceed normal pay including any maternity pay being paid and you would be paid on your return to work. Your manager must complete a change of conditions form to enable you to be paid for these days of work.

- **Can I work on the Bank whilst on maternity leave?**

No. If you work on the bank this in effect ends your maternity leave as you would be deemed to have returned to work.

3. After the Birth

3.1 Deciding to Return to Work

Deciding when to return to work is your decision providing that you give the Trust at least eight weeks' notice of the date you intend to return. You have the right to return to the same job or a similar job of the same grade and on no less favourable terms or conditions. Should you decide to change the date of your return, you must also give eight weeks' notice.

There are many questions you may have when deciding about your return to work. The following aims to answer some:

- **What about my health and safety when I return to work?**

We will take advice from our Department of Occupational Health and if necessary will carry out a Risk Assessment of your working conditions to ensure that you are not exposed to unsafe work environments, substances or tasks when you return. If appropriate we may alter your duties or move you to another department. Your pay would not be affected. If no suitable alternatives can be found then paid leave will be given. These provisions also apply if you are breastfeeding and it is found that your normal duties would prevent you from successfully breastfeeding your child. If you have any concerns, you should discuss them immediately with your manager and/or your Human Resources Department.

- **What if I am still breastfeeding when I return to work?**

The PCT actively supports breastfeeding and will provide support to help you continue breastfeeding when you return to work. This may be ensuring that you have the necessary physical facilities to express and store breast milk or by allowing flexible working arrangements.

- **Can I return on flexible working arrangements?**

At the end of your maternity leave you may wish to return on different or reduced hours in the same job and/or you may wish to consider the Trusts range of Work-Life Balance Policies (e.g. job share, flexi hours, term time working) that should enable you to balance your personal needs with those of work.

You should initially discuss your preferences with your manager/ HR Department and where possible your needs will be accommodated balancing your requirements with the needs of the service.

If it is not possible for you to return to work on different hours in the same job, then you will be provided with written, objectively justifiable reasons and you should return to the same grade and work of a similar nature and status to that which you held prior to your maternity absence.

If it is agreed that you will return to work on a flexible basis, including changed or reduced hours, for an agreed temporary period this will not affect your right to return to your job under your original contract at the end of the agreed period.

- **Does the Trust have any childcare provision?**

The PCT has access to a Childcare Coordination that provides a service to local NHS employees. Claire Haley (Childcare Co-ordinator) can be contacted on 0117 9283749. Claire will be able to offer information and guidance on childcare provision and services available locally.

The Trust also operates a system of childcare vouchers which can be exchanged for a wide range of childcare provision. Please speak to Annette Burnham on (01454) 863354 for more details.

- **Can I return to work earlier than originally planned?**

Providing you are fit to work you should be able to return to work earlier than originally planned. You must however take at least 2 weeks' maternity leave following the birth of your baby. You must give eight weeks' notice to your manager that you wish to change the date of your return. Please note that any maternity pay will cease on your return to work.

- **Do I have to pay any money back if I don't return to work?**

If you do not return to work for 3 months for the PCT (or a different NHS employer (see point below)) within 15 months of the beginning of your maternity leave but have received occupational maternity pay you will be liable to repay the Trust the occupational element of the pay (i.e. any payments over and above your Statutory Maternity Pay entitlements). Please contact your Human Resources department if you require advice.

- **Do I have to give notice if I don't return to work?**

If you have chosen option 1 (Intending to return to work) or option 2 (Unsure of intention to return to work) and you decide not to return, then you must give contractual notice to terminate your contract of employment with the Trust. This should be in writing to your manager. (*Please also note the point above.*)

If you have chosen option 3 (Not intending to return to work), you are not required to provide further notice as through choosing this option, you have already given your notice and your contract will cease at the end of the 26 week period.

- **What happens if I am medically unable to return to work?**

If you have recently given birth or are breastfeeding and are unable to return on your intended date because an Occupational Health Doctor considers you either incapable of carrying out all or part of your duties, or that these would be a risk, the Trust will seek to provide temporary alternative work without loss of pay. If this is not possible special paid leave can be granted.

If you are unable to return to work on your intended date of return due to illness, then the normal provisions of the PCTs' Sickness Absence Policy and Procedure will apply.

- **Can I return to work with another NHS employer?**

The right to maternity leave and pay is not affected if you return to work with another NHS employer, providing that you notify the Trust of your intention to do so no later than 21 days before your maternity leave is due to end. You must also provide the Trust with a copy of your letter of appointment to the other NHS employer within 15 months of the start of your maternity leave. Failure to do this may result in the Trust recovering the Occupational Maternity Pay that may have been paid to you.

3.2 Confirming your Return to Work

- **When do I have to confirm my date of return to work?**

You don't! If you plan on returning to work at the end of your full maternity leave period you have to give no further notice.

However if you decide to return to work earlier than you have to, you are required to give the Trust 8 weeks' notice of the date that you intend to return. This should be in writing to your manager.

4. Your Questions Answered

These are some commonly asked questions and answers. Please do not hesitate to contact your Human Resources Department if you would like to discuss these or any further questions.

4.1 Issues Relating to Pay & Conditions of Service

- **How is maternity pay paid?**

Your maternity pay will be paid in to your bank account the same way as your salary. This applies for both occupational maternity pay and statutory maternity pay. Payment will continue to be made on your normal payday and your payslip will be sent to your home address. However if you are not eligible for Statutory Maternity Pay you may be entitled to a Maternity Allowance which would be paid directly to you from the Benefits Agency.

- **What happens to my pay during maternity leave?**

Enhanced Pay:

All payment will be made on a current basis. Eight weeks' full pay (inclusive of SMP) is calculated on the basis of average weekly earnings at the 15th week before the Expected Week of Delivery as per the Social Security Contributions and Benefits Act, 1992.

National Insurance:

Your National Insurance Contributions are deductible from the gross maternity pay and gross statutory maternity pay. They are not, however, deductible for the unpaid part of maternity leave and therefore benefits may be lost. However, you should contact your DSS office with a view to obtaining guidance on whether or not contributions should be paid in order to avoid any possible loss of benefits.

Income Tax:

Maternity Leave and Statutory Maternity Pay is subject to the provisions of income tax.

Pension Contributions:

If you wish to remain in the pension scheme, absence on paid or unpaid Maternity Leave is pensionable if you are returning to work. You will continue to pay full pension contributions on maternity pay whether the pay element is a nine tenths full pay, half pay or nil pay. However, as pension deductions cannot be made during the unpaid period of Maternity Leave, arrears of contributions will accrue. If you wish, these arrears can be deducted from your wage/salary when you return to duty. These deductions will be made by arrangement with you. However these repayments will normally be deducted over a period not exceeding the length of time you were on unpaid leave. If, on your return to work, you do not wish to continue paying pension contributions, then in normal circumstances no arrears will be requested and the first maternity pay day will be treated as a last pensionable day. If you are not returning to duty you will have a choice whether or not to pay pension contributions during your paid leave. This will depend upon your age and length of service. Please contact the Payroll Department for further information, a leaflet and claim form.

Tax Rebates:

You may be entitled to a tax rebate if you are not returning to work. As soon as you have received maternity pay you are entitled to you will receive a P45 which you should send to the Inland Revenue, along with written confirmation that you have finished work.

Increments:

Absence on Maternity Leave, whether paid or unpaid shall count towards your normal annual increment and shall not defer the normal incremental date except where this is a Gateway when the "3 month rule" will apply. Refer to the PDR Policy for further clarification.

Retrospective Pay Awards:

In the event of a pay award (or normal annual increment) being implemented from any date prior to the paid maternity leave period, the occupational maternity pay will be calculated as though the pay award had effect throughout the entire Statutory Maternity Pay calculation period. If a pay award is agreed retrospectively, the occupational maternity pay should be recalculated on the same basis.

If a pay award (or normal annual increment) is implemented during the paid maternity leave period, the occupational maternity pay due from the date of the pay award or annual increment will be increased accordingly. If such a pay award was agreed retrospectively, the occupational maternity pay should be re-calculated on the same basis.

Where the increment is a Gateway, the 3 month rule will apply. Please refer to the Appraisal and Development Policy for further clarification.

In the case of an employee on unpaid sick leave or on half sick pay during the whole or part of the period used for calculating average weekly earnings in accordance with the earnings rules for Statutory Maternity Pay purposes, average weekly earnings for the period of sick absence shall be calculated on the basis of notional full sick pay.

TU Deductions etc:

Such deductions cease during the unpaid part of your maternity leave and are reinstated upon your return to paid employment unless otherwise agreed.

- **What happens about my entitlement to annual leave?**

If you are returning to work, you will continue to accrue annual leave whilst you are on Maternity Leave, both paid and unpaid. Time off in lieu does not accrue in respect of Bank Holidays which fall during either paid or unpaid maternity leave.

If you are not returning to work then your annual leave will only accrue throughout the paid period (39 weeks) of your maternity leave, as after this your contract of employment will terminate. If you are unsure about returning to work you will initially accrue annual leave for the paid period (39 weeks). If however you do decide to return to work after taking a period of unpaid, additional maternity leave you will also accrue annual leave for this period.

You must discuss your annual leave entitlement fully with your manager before your maternity leave commences.

Where your accrued annual leave would exceed normal carry over provisions, then it may be beneficial for you to take your annual leave before and or after your formal (paid and unpaid) maternity leave period. The amount of annual leave to be taken in this way, or carried over, should be discussed and agreed with your manager.

If you are not returning to work you should plan to take your annual leave entitlement before you commence maternity leave.

- **Does maternity leave affect my continuity of service?**

No. Any maternity leave does not count as a break in service.

- **What about my lease car?**

If you are a lease car user you may return the vehicle to the Trust or continue to make payments during the whole period of your maternity leave. If you are not returning to work, your lease car contract will be terminated and any early release penalty charges may be passed on to you.

- **What happens if I am on a fixed term contract or a training contract?**

If you are on a fixed term or training contract which expires after the eleventh week before the expected week of childbirth and you are eligible for maternity leave and pay, you shall have your contract extended to allow you to receive the 39 weeks' paid contractual maternity pay.

If there is no right of return to be exercised because your contract would have ended if your pregnancy and childbirth had not occurred, the repayment provisions on page 13 will not apply.

If you are absent on maternity leave (paid and unpaid) for up to 52 weeks before you secure a further NHS appointment, this shall not constitute a break in service.

If you are on a fixed term contract and do not meet the twelve months continuous service condition then you still may be entitled to Statutory Maternity Pay. (see the flow chart on Page 6)

- **What if I am on a Rotational Training Contract?**

If you are participating in a planned rotation of posts with one or more NHS employers as part of an agreed programme of training, you will have the right to return to work in the same post or in the next planned post irrespective of whether the contract would have ended if your pregnancy and childbirth had not occurred. In such circumstances your contract will be extended to enable you to complete your agreed programme of training.

- **What are my contractual rights during maternity leave?**

During your maternity leave (both paid and unpaid) you retain all of your contractual rights except remuneration.

- **What if my contract needs to be amended during maternity leave?**

If it is necessary to amend your contract during your Maternity Leave, the amendment should be following consultation and should place you on no less favourable terms than for existing employees.

4.2 Other Issues

- **What if I have an emergency related to my pregnancy?**

Your manager has the discretion to grant special leave with pay on compassionate grounds in case of urgent domestic distress. If appropriate, further unpaid special leave may be granted.

- **What happens if my baby is still born?**

In the unfortunate event of a still -birth after your 24th week of pregnancy, you will be entitled to maternity pay and leave entitlements as if the birth had been live.

- **What if I have a miscarriage?**

If you have a miscarriage before your 25th week of pregnancy, then normal sick leave provisions as detailed in the PCT's Sickness Absence Policy and Procedure will apply as necessary.

- **Can I use this procedure if I want to adopt a child?**

Please refer to the Trust's policy on Adoption Leave within the Work-Life Balance Policies and Procedures.

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5. Review Date

This policy and procedure will be reviewed after 2 years, or earlier at the request of either staff or management side, or in light of any changes to legislation or National Guidance.

I understand that if I do return to work for at least 3 months I am entitled to be reimbursed any Occupational Maternity Pay for which I am eligible, less any Statutory entitlements that I have already received.

I have read the PCT Guidance on Maternity Benefits, which I understand and accept.

Signed Date

Declaration: Employees taking Option 3 Not returning to work

I have read the Guidance on Maternity Benefits, which I understand and accept. I understand that by taking this option, I am giving notice of my intention to resign and that my contract of employment will be terminated at the end of my 26 weeks maternity leave. *(Please refer to option 2 if you are unsure)*

Signed Date

Declaration: All employees

I understand that a change in my circumstances during payment of SMP may affect my entitlement and therefore I agree to notify the HR Department of any of the following as soon as possible:

- I. If my actual week of childbirth is not the expected week of childbirth as stated on Mat B1 certificate (at the latest this information must be sent within 21 days of the actual date of childbirth).
- II. If I start work for another employer after the birth of my baby.
- III. If I go abroad outside the EC.
- IV. If I am taken into legal custody.

Signed Date

Please give this form together with your Mat B1 certificate to your manager.

For office use:

Application for Maternity Leave & Pay authorised by:

Signed Date
Manager

Signed Date
HR Department