

OXFORD CITY COUNCIL

MATERNITY POLICY

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OXFORD CITY COUNCIL

MATERNITY POLICY

1. POLICY STATEMENT

The Council is committed to supporting employees covered by this policy not only through its statutory obligations but also as a supportive employer who recognises the important of family life and its balance with work.

This policy is designed to make employees aware of their statutory rights and responsibilities during pregnant or having recently given birth, and the arrangements for ante-natal care, pregnancy-related sickness, health and safety, and maternity leave.

Managers are required to follow it for consistent and lawful treatment of female employees throughout pregnancy, the maternity period, and return(s) to work.

2. SCOPE

- 2.1 This policy applies to full-time and part-time employees (regardless of the number of hours worked) subject to qualifying condition, e.g. length of service. It does not apply to agency workers or the self-employed. If you require further guidance, please contact People & Equalities (P&E).

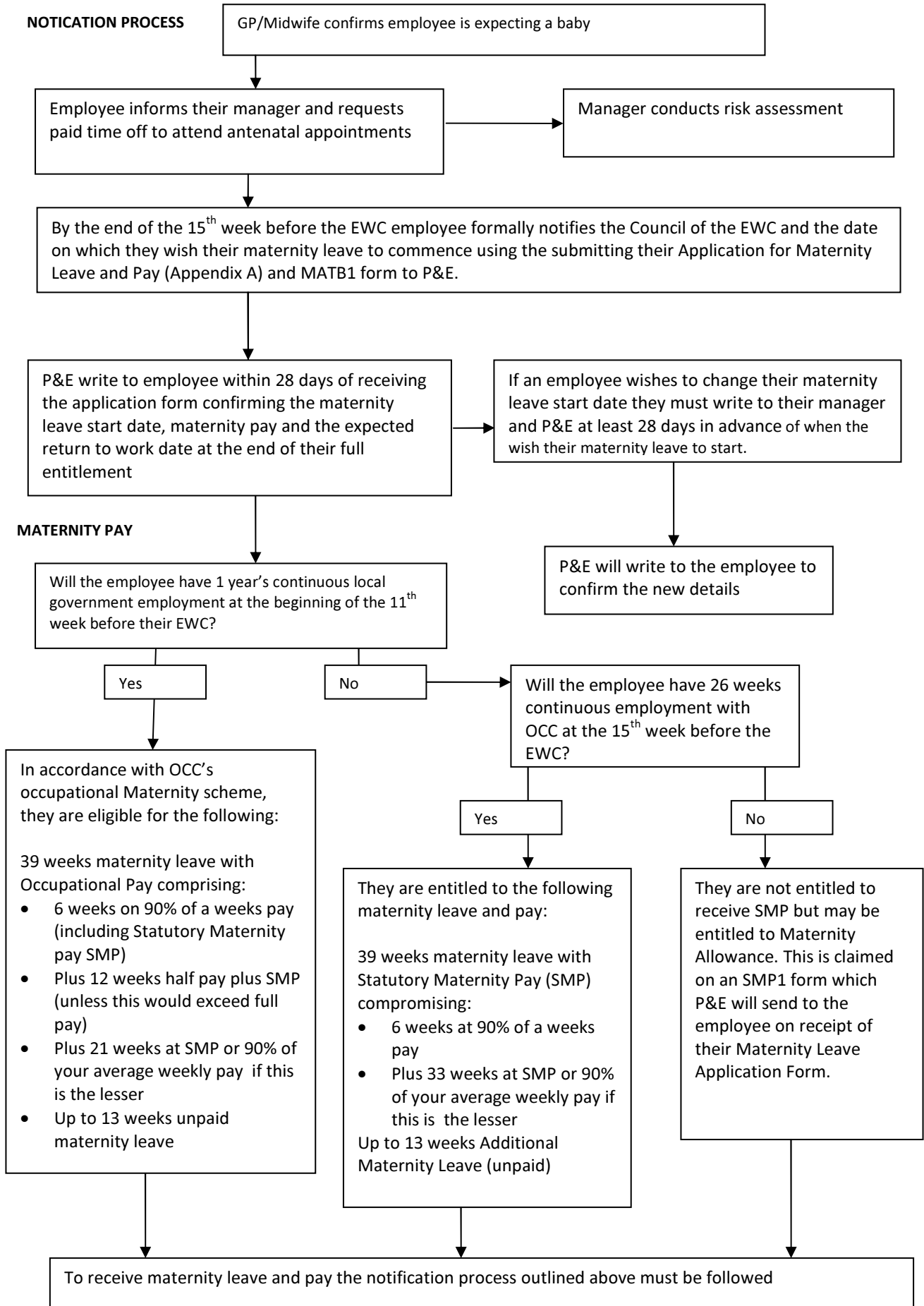
3. ABBREVIATIONS USED IN THIS DOCUMENT

AML	Additional Maternity Leave
CML	Compulsory Maternity Leave
EDC	Expected date of childbirth (the day the baby is due)
EWC	Expected week of childbirth (the week, beginning with midnight between Saturday and Sunday, in which it is expected that the baby will be born)
MATB1	Maternity certificate issued by a doctor or midwife showing the date on which the baby is expected
OML	Ordinary maternity leave
OMP	Occupational maternity pay
SMP	Statutory maternity pay

Qualifying Week –the 15th week before the Expected Week of Childbirth (EWC)

- 3.1 Checklists are available for both Managers (Appendix B) and employees (Appendix C) to help outline the various stages of the process and the responsibilities of each.

4. PROCEDURE OVERVIEW



5. IMPLEMENTING THE POLICY

- 5.1 Managers have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.
- 5.2 The Head of People & Equalities has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework.

6. NOTIFICATION OF PREGNANCY

- 6.1 Employees must inform their line manager as soon as possible that they are pregnant. This is important and in the employee's interests, as there may be health and safety considerations (see paragraph below, Health and safety). Before the end of the 15th week before the date the baby is due (EWC) or as soon as reasonably practical afterwards, the employee must tell the Council:
- That she is pregnant
 - The EWC date
 - When she intends her maternity leave to commence – this must be no earlier than the start of the 11th week before the EWC
- 6.2 The employee must provide a certificate from a doctor or midwife (usually form MAT B1) confirming the date the baby is due (EWC), which is normally issued after the 20th week of pregnancy. Employees should complete a Maternity Leave Application Form (Appendix A), which the employee should discuss with her line manager, then provide to P&E. P&E must have the forms by the end of the 15th week before the EWC. P&E will then write to the employee within 28 days of receiving the completed application form to confirm the date of return to work.
- 6.3 The line manager should ask the employee whether she wishes the fact that she is pregnant to be kept confidential for as long as possible and act accordingly. It is important to be aware that an employee may initially not want their pregnancy to be general knowledge. Employees may wish to get more information about maternity on the Government's website (www.direct.gov.uk).

7. SICKNESS

- 7.1 Periods of pregnancy-related sickness absence shall be paid in accordance with the Council's Sickness Pay Benefits & Provisions Guide in the same manner as any other sickness absence:
http://occcweb/files/seealsodocs/88475/Sickness%20Pay%20Nov09.doc#_Toc23015086.
- 7.2 Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions.
- 7.3 If you are absent for a pregnancy-related reason during the four weeks before your EWC, your maternity leave will usually start automatically (see paragraph below, 'Starting maternity leave').

8. HEALTH AND SAFETY

- 8.1 The Council has a general duty to take care of the health and safety of all employees. It is also required to carry out a risk assessment to assess the workplace risks to women who are pregnant, have given birth within the last six months or are still breastfeeding.
- 8.2 We will provide you with information as to any risks identified in the risk assessment, and any preventive and protective measures that have been or will be taken. If we consider that, as a new or expectant mother, you would be exposed to health hazards in carrying out your normal work we will take such steps as are necessary (for as long as they are necessary) to avoid those risks. This may involve:
- changing your working conditions or hours of work;
 - offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable; or
 - suspending you from duties, which will be on full pay unless you have unreasonably refused suitable alternative work.
- 8.3 For help and advice relating to health and safety and risk assessments, please contact the Safety Advisor (Mark Preston) or Occupational Health (details available on the intranet)

9. TIME OFF FOR ANTE NATAL CARE

- 9.1 A pregnant employee may take reasonable paid time off during working hours for ante-natal care. This may include appointments with a GP or midwife, hospital appointments for scans and tests, relaxation and parent craft classes providing they are made on the advice of a registered medical practitioner, midwife or health visitor. A manager can request confirmation that the employee is pregnant (if not already provided) and a copy of the appointment card.
- 9.2 Employees should try to give us as much notice as possible of the appointment. In order to minimise disruption within the work section, employees are asked to try and arrange appointments as close to the start or end of the working day, as possible.

10. ENTITLEMENT TO MATERNITY LEAVE

- 10.1 All employees are entitled to up to 52 weeks' maternity leave which is divided into:
- Ordinary maternity leave of 26 weeks (**OML**).
 - Additional maternity leave of a further 26 weeks immediately following OML (**AML**).

11. STARTING MATERNITY LEAVE

- 11.1 The earliest date you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).
- 11.2 You must notify us of your Intended Start Date in accordance with paragraph on Notification above. We will then write to you within 28 days to inform you of the date we will expect you to return to work if you take your full entitlement to maternity leave (**Expected Return Date**).
- 11.3 You can postpone your Intended Start Date by informing us in writing at least 28 days before the original Intended Start Date, or if that is not possible, as soon as reasonably practicable. You can also bring forward the Intended Start Date by informing us at least 28 days before the new start date, or if that is not possible, as soon as reasonably practicable.
- 11.4 Maternity leave shall start on the earlier of:
- your Intended Start Date (if notified to us in accordance with this policy); or
 - the day after any day on which you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth; or
 - the day after you give birth.
- 11.5 If you give birth before your maternity leave was due to start, you must let us know the date of the birth in writing as soon as possible. The law prohibits you from working during the two weeks following childbirth.
- 11.6 Shortly before your maternity leave starts we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you should retain email access/remain on circulation lists e.g. for internal news, vacancies, training and work-related social events.

12. PAY

- 12.1 Employees are entitled to a range of benefits, subject to service. A summary of the various arrangements depending on service are set out in Appendix D

13. STATUTORY MATERNITY PAY

- 13.1 Statutory maternity pay (**SMP**) is payable for up to 39 weeks. SMP will stop being payable if you return to work (except where you are simply keeping in touch in accordance with paragraph KIT). You are entitled to SMP if:
- you have been continuously employed for at least 26 weeks at the end of the Qualifying Week and are still employed by us during that week;
 - your average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the Government;
 - you provide us with a doctor's or midwife's certificate (MAT B1 form) stating your Expected Week of Childbirth;
 - you give at least 28 days' notice (or, if that is not possible, as much notice as you can) of your intention to take maternity leave; **and**
 - you are still pregnant 11 weeks before the start of the EWC or have already given birth.
- 13.2 SMP is calculated as follows:
- First six weeks: SMP is paid at the Earnings-Related Rate of 90% of your average weekly earnings calculated over the Relevant Period;
 - Remaining 33 weeks: SMP is paid at the Prescribed Rate which is set by the Government for the relevant tax year, or the Earnings-Related Rate if this is lower.
- 13.3 SMP accrues from the day on which you commence your OML and thereafter at the end of each complete week of absence. SMP payments shall be made on the next normal payroll date and income tax, National Insurance and pension contributions shall be deducted as appropriate.
- 13.4 You shall still be eligible for SMP if you leave employment for any reason after the start of the Qualifying Week (for example, if you resign or are made redundant). In such cases, if your maternity leave has not already begun, SMP shall start to accrue in whichever is the later of:
- the week following the week in which employment ends; or
 - the eleventh week before the Expected Week of Childbirth.
- 13.5 If you become eligible for a pay rise before the end of your maternity leave, you will be treated for SMP purposes as if the pay rise had applied throughout the Relevant Period. This means that your SMP will be recalculated and increased retrospectively, or that you may qualify for SMP if you did not previously qualify. We shall pay you a lump sum to make up the difference between any SMP already paid and the amount payable by virtue of the pay rise. Any future SMP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

14. OCCUPATIONAL MATERNITY PAY (NATIONAL CONTRACTUAL SCHEME)

14.1 An employee with at least 1 years' continuous Local Government service at the 11th week before the EWC will qualify for maternity pay under the National Contractual scheme:

Weeks 7 –18	Half of contractual pay providing this figure, when added to any SMP/MA, does not exceed full pay
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15. COMBINED STATUTORY AND OCCUPATIONAL MATERNITY PAY

15.1 If an employee:

- Has 26 weeks' continuous service with Oxford City Council, as at the 15th week before the EWC; *and*
- Has one years' continuous Local Government Service as at the 11th week before the EWC; *and*
- Normally earns more than the lower earnings limit (LEL) for National Insurance Contributions. (Refer to the last section of this guide for current rates.)

15.2 They will receive enhanced benefits as follows:

Weeks 1 - 6	90% of average pay (SMP rules)
Weeks 7 -18	SMP is paid at whichever is the lower of the earnings-related rate or the weekly rate, plus ½ of contractual pay , providing the total of the two payments does not exceed full pay
Weeks 19 – 39	SMP is paid at whichever is the lower of the earnings-related rate or the weekly rate

15.3 The Council will recalculate maternity pay levels if a pay increase comes into effect at any time between the start of the pay calculation period and the end of the maternity leave. The calculation period ends 14 weeks before the baby's due date and takes into account the mother's earnings over the previous 8 weeks.

16. PAYING BACK OCCUPATIONAL MATERNITY PAY

16.1 **If an employee does not return to work or returns for less than 3 calendar months after receiving 12 weeks' of half pay, this amount, or a proportion of it for the period not worked, will have to be paid back to Oxford City Council.** This will be issued as a sundry account and the Council's normal rules of debt recovery will apply. If the maternity leave period falls within the same financial year as the debt recovery then some relief of Tax and National Insurance Contributions will apply. If it falls outside the financial year then repayment on the gross amount will apply. For further information, please contact the Payroll Team.

17. OTHER STATE BENEFITS

- 17.1 The employee must advise the Payroll team if they are currently receiving benefits, so that any occupational maternity pay can be calculated correctly.

18. MATERNITY ALLOWANCE

- 18.1 If, at the 15th week before the EWC, an employee has
- a) less than 26 weeks' service with Oxford City Council or;
 - b) has more than 26 weeks' continuous service, but normally earns less than the Lower Earnings Level (LEL) for National Insurance Contributions, they will not receive SMP from the Council. Refer to last section of this guide for the current level.
- 18.2 Instead they should request form SMP1 from the Payroll team to enable them to claim Maternity Allowance or other benefits direct from the Government.

19. TERMS AND CONDITIONS DURING OML AND AML

- 19.1 All the terms and conditions of your employment remain in force during OML and AML, except for the terms relating to pay. In particular:
- benefits in kind [such as death in service, slice card benefit and use of a company vehicle if applicable] shall continue;
 - annual leave entitlement under your contract shall continue to accrue (see paragraph 20, Annual leave); **and**
 - pension benefits shall continue (see Pensions paragraph below).

20. ANNUAL LEAVE

- 20.1 During OML and AML, annual leave will accrue at the rate provided under your contract. i.e. the hours the employee was working prior to the start of the maternity absence. If she returns on different hours then leave will be based on these hours from the point of return.
- 20.2 If a period of maternity spans more than one annual leave year, then leave can be carried over within the normal arrangements for the carry over of leave. Additional leave may be carried over provided that the leave is taken prior to the employee actually returning to work. The employee should discuss the arrangements with her Manager and her annual leave card should be amended accordingly.

21. OTHER LEAVE ENTITLEMENTS

- 21.1 Employees have rights to paternity leave, unpaid parental leave, unpaid time off for dependants and a right to request flexible working patterns. Please see the relevant Council policy documents (available on the Intranet or from P&E).

22. MISCARRIAGE AND STILLBIRTH

- 22.1 If an employee suffers a miscarriage (up to the end of the 24th week of pregnancy), she should be paid sick pay in accordance with the provisions of the scheme. Oxford City Council sickness pay rules will apply.
- 22.2 Where a stillbirth occurs (from the beginning of the 25th week of pregnancy), OMP / SMP is normally payable (subject to service qualification). The employee qualifies for maternity leave as if a live birth had occurred.

23. CHILDCARE VOUCHERS

- 23.1 Employees are entitled to continue to receive contractual benefits (except pay) during OML and AML.
- 23.2 Currently Childcare Vouchers are deemed to be a non-cash benefit (i.e. not pay) and therefore entitlement to them continues during OML and AML. An employee must be a member of the Childcare Voucher Scheme before starting maternity leave for this to apply. This is explained in more detail in the Guidance on the Childcare Voucher Scheme.

24. PENSION CONTRIBUTIONS

- 24.1 During OML your pension benefits will continue to accrue based on your contractual hours even though your pay and consequently your pension contributions may be lower.
- 24.2 The contribution rate for the payment of pension contributions will be your normal contribution rate ie the percentage rate for determining contributions will not change. The amount of contributions paid may be lower as they are calculated on the pay actually received.
- 24.3 If you are not entitled to any Maternity Pay from the Council for all or some of the OML period, then you will only pay pension contributions when you are receiving pay. However, your pension service will accrue at the same rate as if you had been paying full contributions for the whole of the 26 weeks of OML.
- 24.4 Pension contributions will continue to be payable during any paid period of AML. Contributions will be based on the rate of maternity pay received and pension service will accrue at the same rate as if you had been paying full contributions for the part of the AML period that is paid.
- 24.5 You can choose to pay pension contributions during the unpaid period of AML. The amount of pension contributions is based on the amount of pay received in last week of paid maternity leave and pension service will accrue at the same rate as if you had been paying full contributions. If you did not receive any maternity pay from the Council the contributions will be based on your contractual pay immediately prior to starting maternity leave.
- 24.6 You will need to decide whether you wish to pay contributions for your period of unpaid AML within 30 days of your return from maternity leave. The Payroll

Team will calculate the amount due and will let you know about different payment methods where appropriate.

- 24.7 If you decide not to pay pension contributions during this unpaid period of AML the time will not count towards your pensionable service and will therefore not be included in the calculation of pension benefits.
- 24.8 If you work any KIT days during your maternity leave you will be paid full pay for these days (you must submit a claim for payment). These payments will be disregarded when calculating contributions due for the remainder of your leave ie if you were on the flat rate SMP when working a KIT day your contributions immediately before and after the KIT day will be based on the SMP rate. If you work a KIT day during a period of unpaid leave and you decide not to make contributions up for the unpaid period the KIT day worked will be pensionable and will count towards pensionable service.

25. REDUNDANCIES DURING MATERNITY LEAVE

- 25.1 In the event that your post is affected by a redundancy situation occurring during your maternity leave, we shall write to inform you of any proposals and shall invite you to a meeting before any final decision is reached as to your continued employment. Employees on maternity leave shall be given first refusal on any suitable alternative vacancies that are appropriate to their skills, in accordance with the Organisational Change Policy..

26. KEEPING IN TOUCH (“KIT”)

- 26.1 The employee and manager should discuss arrangements for keeping in contact during the maternity leave period before maternity leave starts. Managers should ensure that the employee will receive her payslips and agree arrangements for communicating significant workplace developments and training opportunities. Employees may be sent council communications. We may make reasonable contact with you from time to time during your maternity leave.
- 26.2 You may work (including attending training) for up to ten days during maternity leave without bringing your maternity leave or SMP to an end. The arrangements, are set by agreement with your line manager or People & Equalities Department, so pay will be made up to full pay for the hours worked. If an employee is in receipt of maternity payments that are equal to full pay at the time of working a KIT day they will not receive any additional pay. Conversely an employee in receipt of no pay at the time of working will receive full pay for the hours worked.
- 26.3 You are not obliged to undertake any such work during maternity leave, nor is the Council obliged to provide any work. In any case, you must not work in the two weeks following birth.

- 26.4 Shortly before you are due to return to work, we may invite you to have a discussion (whether in person or by telephone) about the arrangements for your return. This may cover:
- updating you on any changes that have occurred during your absence;
 - any training needs you might have; and
 - any changes to working arrangements (e.g. if you have made a request to work part-time; see final paragraph below, Returning to work part-time).

27. EXPECTED RETURN DATE

- 27.1 Once you have notified us in writing of your Intended Start Date, we shall send you a letter within 28 days to inform you of your Expected Return Date. If your start date has been changed (either because you gave us notice to change it, or because maternity leave started early due to illness or premature childbirth) we shall write to you within 28 days of the start of maternity leave with a revised Expected Return Date. We will expect you back at work on your Expected Return Date unless you tell us otherwise. It will help us if, during your maternity leave, you are able to confirm that you will be returning to work as expected.

28. RETURNING EARLY

- 28.1 If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice. It is helpful if you give this notice in writing. If not enough notice is given, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

29. RETURNING LATE

- 29.1 If you wish to return later than the Expected Return Date, you should either:
- request unpaid parental leave [in accordance with our Parental Leave Policy], giving us as much notice as possible but not less than [21 days]; or
 - request paid annual leave in accordance with your contract, which will be at our discretion.
- 29.2 If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply. In any other case, late return will be treated as unauthorised absence.

30. DECIDING NOT TO RETURN

- 30.1 If you do not intend to return to work, or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract. The amount of maternity leave left to run when you give notice must be at least equal to your contractual notice period, otherwise we may require you to return to work for the remainder of the notice period.
- 30.2 Once you have given notice that you will not be returning to work, you cannot change your mind without our agreement. This does not affect your right to receive SMP.

31. YOUR RIGHTS WHEN YOU RETURN

- 31.1 You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been had you not been absent. However, if you have taken any period of AML or more than four weeks' parental leave, and it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.
- 31.2 It is possible that an employee who takes her full entitlement to maternity leave of 52 weeks may become pregnant whilst on leave and become entitled to another, consecutive period of leave without returning to work. An employee who takes two consecutive periods of maternity leave, which include one or more periods of AML, is entitled to return to her original job or, if this is not reasonably practicable, to another suitable, alternative post.

32. RETURNING TO WORK PART-TIME

- 31.1 We will deal with any requests by employees to change their working patterns (such as working part-time) after maternity leave on a case-by-case basis. There is no absolute right to insist on working part-time, but you do have a statutory right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our business. It is helpful if requests are made as early as possible. [The procedure for dealing with such requests is set out in the Council's Flexible Working Policy.]

33. MONITORING AND REVIEW OF THE POLICY

- 33.1 This policy is reviewed by People & Equalities in consultation with the Council's recognised unions. Recommendations for any amendments are reported to People & Equalities.
- 33.2 We will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives.

APPENDIX A – MATERNITY LEAVE & PAY APPLICATION FORM

This form must be completed and returned to People & Equalities by the end of the 15th week before your expected week of childbirth

Section A – Personal Details

Surname	.....	Forename(s)	.....
Home Address	..... ..... .....	
Post Title	.....	
Business Unit	.....	
Place of Work	.....	Ext. No.	.....

Section B – Maternity Leave & Pay

My expected date of childbirth is:	.....
My MATB1 certificate is:	<input type="checkbox"/> Attached <input type="checkbox"/> Will follow shortly
I commenced my present service with Oxford City Council on:	.....
I commenced my present Local Government service on:	.....

Maternity Leave

I am claiming Ordinary and Additional Maternity Leave under the Statutory Maternity Scheme.

Maternity Pay

Approval date

I am claiming maternity **pay** under:

	Weeks 0 – 39
Statutory Maternity Pay	[]
National Contractual Scheme	[]
Combined Statutory and National Contractual Scheme	[]

** Please tick (✓) appropriate box(es)*

The Payroll Team will check your details and confirm in writing what payments you will be entitled to receive.

Section C – Notice of Intention to Take Maternity Leave

I intend to commence maternity leave on:		.....	
I intend to take annual leave	From:	.....	To:	.....
I intend to take credit leave	From:	.....	To:	.....

Section D - Intention to Return to Work (*National Contractual Scheme*)

You will need to complete this section if you have ticked the box above to indicate that you are claiming maternity pay under the National Contractual Scheme.

In order to receive the 12 weeks’ of half pay under the National Contractual Scheme you must declare your intention to return to work. If you do not return to work, or return for less than 3 months, you will be required to repay all or a proportion of the payment made to you.

I intend to return to work after my maternity leave and wish to receive all payments due	[]
I wish to hold open my option to return to work after my maternity leave but do not wish to receive any payments, which would have to be repaid if I decide not to return	[]

* Please tick (✓) appropriate box

Section E – Pension Contributions

Please tick (✓) the appropriate box to indicate your intentions.

I wish to consider paying contributions on my period of unpaid leave. Please inform me of the amount upon my return so that I can make a final decision	[]
I do not wish to pay pension contributions on my period of unpaid leave and therefore do not require any information. I understand that the unpaid period will not count for pension benefits	[]

Section F – Declaration

I declare that the information provided above is correct to the best of my knowledge.

Signed:	
Date:	

***Please keep a copy of this form for your own information**

FOR OFFICE USE ONLY

	Form checked by	Form Forwarded To	Date
People & Equalities			
Payroll Section			

APPENDIX B – LINE MANAGER’S MATERNITY CHECKLIST

Notification of pregnancy	<p>Employee to advise her Line Manager of her pregnancy, her EWC and when she wishes to commence maternity leave: -</p> <ul style="list-style-type: none"> ▪ Review risk assessments to ensure there is no danger or potential danger in the workplace to mother or baby ▪ Allow paid time off for antenatal appointments ▪ Issue the employee with a copy of the Council's Maternity Policy (including the maternity leave application form)
11 weeks before EWC	Earliest date that an employee can commence maternity leave (OML)
4 weeks before EWC	If the employee is sick for pregnancy-related reasons, you must advise People & Equalities who will inform the employee that maternity leave will commence
During maternity leave (OML and AML)	<p>Maintain regular contact with the employee: -</p> <ul style="list-style-type: none"> ▪ Update her on any changes within the Unit / team ▪ Forward payslips to the home address ▪ Forward communications as necessary
Preferably 28 days before the employee's return to work date, or as soon as the return date is known, if later	<p>Make arrangements for the employee to return to work: -</p> <ul style="list-style-type: none"> ▪ If taking OML only, the employee should resume normal duties ▪ If taking OML and AML or unpaid leave, the employee should resume normal duties, unless there are exceptional circumstances why this is not practical, which should have been discussed with P&E ▪ Discuss the keeping in touch days if not already used ▪ Discuss any outstanding annual leave ▪ Via People & Equalities, arrange for notice to be served to the individual covering the maternity leave on a fixed term or secondment basis (if applicable)
Employee's return to work	<ul style="list-style-type: none"> ▪ Welcome the employee! ▪ Review risk assessments ▪ Discuss any training requirements

APPENDIX C – EMPLOYEE’S MATERNITY CHECKLIST

WHEN	WHAT TO DO	WHY
Notification of pregnancy	<p>Advise your Line Manager of your pregnancy, giving the required notice</p> <p>Obtain an exemption certificate from NHS charges</p> <p>Inform the Jobcentre Plus (if you are on Income Support)</p> <p>Read Benefits leaflets available from the Jobcentre Plus</p>	<p>To ensure you receive your rights during pregnancy and any maternity payments due to you</p> <p>To obtain free prescriptions and NHS dental treatment</p> <p>To check your right to benefits and other financial assistance</p> <p>To check your right to benefits and other financial assistance</p>
Up to 20 weeks before your baby is due	<p>Ask your Doctor or Midwife for a MATB1. This must be signed and stamped or have your midwife’s registration number</p>	<p>To claim OMP / SMP or Maternity Allowance</p>
Up to 15 weeks before your baby is due	<p>Complete a Maternity Leave Application form and forward this (together with your MATB1) to P&E. Arrange an appointment if required</p> <p>If you do not qualify for SMP, ask your Jobcentre Plus or Child Health Clinic for form MA1</p>	<p>To protect your right to OMP / SMP and enable P&E to confirm your entitlements</p> <p>To apply for Maternity Allowance</p>
11 weeks before EWC	<p>This is the earliest date that an employee can commence maternity leave (OML)</p>	
4 weeks before EWC	<p>If you are sick for pregnancy-related reasons you must advise your manager</p>	<p>Your maternity leave will commence</p>
As soon as possible after the birth	<p>Inform your colleagues so that they can congratulate you!</p> <p>Register the baby’s birth</p> <p>Claim Child and other benefits as appropriate</p>	<p>To obtain a birth certificate and NHS card</p> <p>To obtain benefit entitlements</p>

<p>If plan to return early from OML/ AML then you must give at least 8 weeks notice of your intention</p>	<p>Give written notice of your intention to return in writing to your Line Manager (with a copy to P&E) Discuss any outstanding annual leave to ensure it is taken before return work</p>	<p>So that the Council can prepare for your return to work</p>
<p>Return to work</p>	<p>Review risk assessments with your Line Manager Discuss any training requirements</p>	

** This is by no means an exhaustive list and so you should seek advice from the relevant agencies.*

APPENDIX D - SUMMARY OF MATERNITY PAY ENTITLEMENTS

Service	Pay Entitlement
<p>less than 26 weeks with the Council at 15th week before EWC</p> <p>less than 1 year local government at 11th week before EWC</p>	<ul style="list-style-type: none"> • No SMP • No OMP • Possibly MA
<p>more than 26 weeks with the Council at 15th week before EWC</p> <p>less than 1 year local government at 11th week before EWC</p>	<ul style="list-style-type: none"> • SMP (if sufficient earnings) • No OMP <p>therefore pay =</p> <ul style="list-style-type: none"> • wks 1 to 6 - 90% of average weekly earnings • wks 7 to 39 - weekly SMP/90% of average earnings if less
<p>less than 26 weeks with the Council at 15th week before EWC</p> <p>more than 1 year local government at 11th week before EWC</p>	<ul style="list-style-type: none"> • no SMP • Possibly MA • OMP <p>therefore pay =</p> <ul style="list-style-type: none"> • wks 7 to 18 ✓ ½ pay (reduced to extent ½ pay plus MA exceeds full pay) x MA, if eligible • wks 19 to 39 - MA, if eligible
<p>more than 26 weeks with the Council at 15th week before EWC</p> <p>more than 1 year local government at 11th week before EWC</p>	<ul style="list-style-type: none"> • SMP (if sufficient earnings, if not possibly MA) • OMP <p>therefore pay =</p> <ul style="list-style-type: none"> • wks 1 to 6 - 90% of average weekly earnings • wks 7 to 18 ✓ ½ pay (reduced to extent ½ pay plus SMP* [or MA] exceeds full pay) x SMP* (or MA), if eligible <ul style="list-style-type: none"> • wks 19 to 39 SMP* (or MA), if eligible

- * Weekly SMP rate or 90% of average weekly earnings if less
- ✓ Declared intention to return
- x Is not intending to return.