An Organisation-wide Maternity and Adoption Leave and Pay Policy and Procedure

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Equality statement

This document demonstrates commitment to create a positive culture of respect for all individuals, including staff, patients, their families and carers as well as community partners. The intention is, as required by the Equality Act 2010, to identify, remove or minimise discriminatory practice in the nine named protected characteristics of age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is also intended to use the Human Rights Act 1998 to promote positive practice and value the diversity of all individuals and communities. This document is available in different languages and formats upon request to the Trust Procedural Documents Coordinator and the Equality and Diversity Lead.
1 Rationale

This policy has been produced to help you find out your entitlement to maternity or adoption pay and leave. It is the policy of Surrey & Sussex NHS Trust to comply with Agenda for Change NHS Terms & Conditions of Service, the Employment Relations Act 1999 and the Employment Act 2002 in respect of maternity and adoption provisions and the provisions relating to maternity leave and pay under the Work and Families Act 2006.

This policy also tells you what to do when you are applying for maternity or adoption leave and returning to work. It should be read in conjunction with the Trust policy on Flexible Working and the policy on Special Leave which detail employee’s entitlements to Paternity Leave, Parental Leave, Carers Leave, Shared Maternity Leave and Shared Adoption Leave.

2 Scope

The purpose of this policy is to ensure that pregnant employees or those about to become adoptive parents, are informed of their rights surrounding maternity and adoption and their employment. It has been developed in line with changes to legislation relating to maternity and adoption leave and pay as well as relevant amendments within Agenda for Change Terms and Conditions of Service.

This policy applies to all employees of Surrey and Sussex Healthcare NHS Trust and is used to provide the fair, consistent and effective application of maternity and adoption provision.

If you have any further queries, or need any clarification on certain issues, please contact the Human Resources Department/Helpdesk.

Employees should obtain and read this policy once they become aware that they are pregnant or about to become an adoptive parent.

The employee must ascertain which provisions within this policy will relate to them as both statutory and occupational provisions are detailed.

It is imperative that employees follow the processes and procedures outlined within this policy within any specified timescales. The checklists in Appendix 4 and 5 can be used as quick reference guides.

Advice can be sought from line managers or the Human Resources
3 Maternity and Adoption Leave and Pay Policy and Procedure

Human Resources Department/Helpdesk

• To advise the pregnant employee or adoptive parent of their rights and obligations under the policy.

• To administer the maternity and adoption leave provisions in conjunction with Payroll.

3.1 Definitions

Maternity

EWC                     Expected Week of Confinement meaning the week (starting on a Sunday) during which the employee’s doctor or midwife expects her to give birth.

MATB1                   Form issued by the midwife or doctor giving the Expected Week of Confinement (EWC). This form is normally issued at 26 – 28 weeks.

QW                      Qualifying Week

SMP                     Statutory Maternity Pay

MA                      Maternity Allowance

AMP                     Additional Maternity Pay

OML                     Ordinary Maternity Leave

AML                     Additional Maternity Leave

Adoption

EDP                     Expected Date of Placement

AAL                     Additional Adoption Leave

AAP                     Additional Adoption Pay

OAL                     Ordinary Adoption
Leave SAP Statutory Adoption
Pay Break in service 3 months or more
Note: For Maternity and Adoption purposes, a week commences on Sunday

Occupational Health
• To advise managers and staff of the risks involved in undertaking certain work activities while pregnant or breast feeding.

• To provide independent advice regarding maternity issues in employment.

Payroll
• To write to the employee detailing their entitlements

• To ensure that payments are made in line with both current occupational and statutory regulations.

• To ensure that the necessary data and proof of pregnancy has been collected from the employee to satisfy DSS annual auditing.

• To ensure that timely payments are made in line with normal salary crediting.

• To ensure that the employee’s membership to the NHS Pension Scheme is protected during the full period of maternity or adoption leave, both paid and unpaid.

• To issue an SMP exclusion form quickly to employees not entitled to statutory benefits, to allow possible claims direct from the DSS.

3.2MATERNITY & ADOPTION LEAVE
ANTE-NATAL CARE
Employees are entitled to paid time off at the basic rate of pay to attend appointments in connection with the ante-natal care, providing adequate notice has been given concerning the appointment, and that the employee has already produced evidence of pregnancy from a GP or certified midwife. Ante-natal care may include parent-craft classes. Managers have the right to require the production of a medical certificate or an appointment card.

Adoptive parents are also entitled to paid time off for meetings relating to the
adoption and all other entitlements.

Managers are not permitted to ask an employee taking time off to attend antenatal care or meetings relating to the adoption to work additional hours to compensate for this time off.

**MATERNITY LEAVE**

There are three types of maternity leave; Compulsory, Ordinary and Additional.

**Compulsory maternity leave**

This refers to the period of two weeks immediately following the date of the birth of the baby during which the employee is not permitted to work.

**Ordinary and Additional Maternity Leave**

Pregnant employees whose babies are due after the 1st April 2007 (regardless of the date on which they actually give birth), irrespective of their length of service are entitled to:

26 weeks Ordinary Maternity Leave AND 26 weeks Additional Maternity Leave.

This is provided that they notify their employer of the following, in writing, before the end of the 15th week before the EWC (or if this is not possible, as soon as is reasonably practicable):

- That she is pregnant
- of her intention to take maternity leave;
- her expected week of childbirth (EWC)
- of the date she wishes to start her maternity leave (but see Section 12.3 below);
- whether or not she intends to return to work with the same or another NHS employer for a minimum period of three months after her maternity leave has ended;
- and provide a MAT B1 form from her midwife or GP giving the expected date of childbirth.

**3.3Starting maternity leave**

The employee can choose when to start her ordinary maternity leave subject to the following provisions:
• It is no earlier than the Sunday of the 11th week before the EWC (unless the baby is born prematurely in which case maternity leave begins on the day after the baby is born)

• If an employee is off work ill, or becomes ill, with a pregnancy related illness during the last four weeks before the expected week of childbirth, maternity leave will normally commence at the beginning of the fourth week before the expected week of childbirth or the beginning of the next week after the employee last worked, whichever is the later.

• The ordinary maternity leave will begin on the day on which childbirth occurs if the maternity leave has not already commenced.

**CHANGING MATERNITY OR ADOPTION LEAVE DATES**

The employee may change the start date of her maternity or adoption leave to an earlier or later date providing that she gives 8 weeks (for those under statutory maternity arrangements) or 28 days (for those under occupational arrangements) notice to her employer of her intention to change the date.

The employer will write to the employee acknowledging the change and informing the employee of the latest date at which she must return to work after the period of maternity leave. This will usually be 52 weeks after the start of the ordinary maternity leave unless notified of an earlier return to work date.

If the employee wishes to return to work prior to the end of the full leave period (i.e. 52 weeks) or if they wish to change the date on which they intend to return to work, the employee is required to give 8 weeks notice or 28 days (if the employee has qualified for the occupational arrangements).

**STATUTORY MATERNITY PAY**

An employee is entitled to 39 weeks SMP provided that:

i. She has been employed for a minimum of 26 weeks at the end of the 15th week before the EWC

ii. She is still employed during that week (i.e. has not been dismissed or has resigned before the beginning of that week)

iii. Her average weekly earnings are above the lower earnings limit for National Insurance Contributions

If an employee returns to work before the end of her paid maternity leave, she will forfeit any outstanding SMP that would have been due to her.

An employee will not forfeit any SMP payments by partaking in any of the 10 Keeping in Touch Days (see Section 5.21).

SMP is payable whether or not the employee intends to return to work or actually
returns to work after maternity leave.

3.4 Amount of statutory pay

SMP is calculated as follows:

• For the first 6 weeks of Maternity Leave – 90% of the employees average weekly earnings based upon the previous 8 weeks immediately prior to the 14\textsuperscript{th} week before EWC

• For the remaining 33 weeks – the standard rate set by the government or 90% of average weekly earnings if the standard rate is more than 90% of average weekly earnings

If you are not eligible for Statutory Maternity Pay, you may be eligible for Maternity Allowance instead.

If you are not eligible for Statutory Maternity Pay or Maternity Allowance, you may be able to get an Incapacity Benefit or a Sure Start Maternity Grant instead if you or your partner or civil partner are claiming benefits or tax credits.

Increments

Any pay increase that comes into effect between the start of the period used to calculate the maternity payments i.e. the previous 8 weeks immediately prior to the 14\textsuperscript{th} week before EWC will mean that there must be a recalculation of average weekly earnings in order to take into account the pay rise and any arrears must be paid as if the increase had been effective from the start of the relevant period.

5.5 OCCUPATIONAL MATERNITY PAY

An employee will be entitled to Occupational maternity pay provided that they:

• have twelve months continuous service with one or more NHS employers at the beginning of the eleventh week before the expected week of childbirth;

• she notifies her employer in writing before the end of the 15\textsuperscript{th} week before the EWC (or if this is not possible, as soon as is reasonably practicable thereafter):
  i. of her intention to take maternity leave;
  ii. of the date she wishes to start her maternity leave – she can choose when to start her maternity leave – this can usually be any Sunday after the beginning of the 11\textsuperscript{th} week before the baby is born (but see section 5.2.3)
  iii. that she intends to return to work with the same or another NHS employer for a minimum period of three months after her maternity leave has ended;

• and provides a MATB1 form from her midwife or GP giving the expected date of
childbirth.

**Amount of Occupational Pay**

Where an employee intends to return to work the amount of contractual maternity pay receivable is as follows:

- First eight weeks of absence - full pay, less any Statutory Maternity Pay or Maternity Allowance (including any dependents’ allowances) receivable;

- Next 18 weeks - half of full pay plus any Statutory Maternity Pay or Maternity Allowance (including any dependants’ allowances) receivable, providing the total receivable does not exceed full pay.

- Next 13 weeks - Statutory Maternity Pay or Maternity Allowance that they are entitled to under the statutory scheme

By prior agreement with the employer occupational maternity pay may be paid in a different way, for example a combination of full pay and half pay or a fixed amount spread equally over the maternity leave period.

**3.5 Increments**

In the event of a pay award or annual increment being implemented before the paid maternity leave period begins (but after the start of the period used to calculate average earnings), the maternity pay should be calculated as though the pay award or annual increment had effect throughout the entire Statutory Maternity Pay calculation period. If such a pay award was agreed retrospectively, the maternity pay should be re-calculated on the same basis;

In the event of a pay award or annual increment being implemented during the paid maternity leave period, the maternity pay due from the date of the pay award or annual increment should be increased accordingly. If such a pay award was agreed retrospectively, the maternity pay should be re-calculated on the same basis;

In the case of an employee on unpaid sick absence or on sick absence attracting half 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.

**Calculation of Contractual Maternity Pay**

Full pay will be calculated using the average weekly earnings rules used for calculating Statutory Maternity Pay entitlements (See Section 5.4.)
3.6 ADOPTION

STATUTORY ADOPTION LEAVE

For all placements, which take place after the 1st April 2007, the OAL and AAL periods mirror those of Maternity Leave (i.e. 26 weeks OAL and 26 weeks AAL). However, employees must still meet the following criteria to qualify:

- Be newly matched with a child for adoption by an approved adoption agency
- Have worked with the same employer for 26 weeks prior to the week in which they are notified of being matched with a child for adoption ('Matching Week')
- Be the only partner taking adoption leave

An adoptive parent may be asked by their employer to provide documentary evidence of their entitlement to adoption leave.

Changing leave dates

No notice is required if they intend to return to work at the end of their full entitlement.

Leave arrangements

Adoption leave may only be taken by one parent. If one partner takes adoption leave the other may be eligible for Paternity Leave and Pay. The entitlement to adoption leave applies to partners of the same sex. An employee must be able to demonstrate that they will have responsibility for the upbringing of a child, there is no requirement for the partners to be married.

If the other partner is taking Paternity Leave in connection with an adoption, they must take this within 56 days beginning on the date in which the child is placed with the adopter, or at a later date if agreed, as long as it is taken in within 56 days of the placement date.

If an employee already lives with a partner and their partner’s child(ren) and the employee decides to adopt their partner’s child(ren), they will not be entitled to adoption leave as they are not ‘newly-matched’ as specified in the legislation.

STATUTORY ADOPTION PAY

Qualification

To qualify for statutory adoption pay the employee must:
3.8 ADOPTING A CHILD FROM OVERSEAS

Leave entitlement

Individuals who adopt a child from overseas, or one member of a couple who adopt jointly, may be entitled to 26 weeks' ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave.

Eligibility

To qualify, the employee must:

i. Have 26 weeks continuous service ending in the week in which official notification* is received or
ii. Have 26 weeks continuous service from commencement with the employer

The other member of a couple or the partner of individuals who adopt may be entitled to paternity leave. (please see Special Leave Policy)

Notification

To be eligible for leave the employee must inform the employer of:

- date on which he/she received an official notification*;
- the date on which the child is expected to enter Great Britain
- This must be done no more than 28 days after the date on which official notification or the date on which he completes 26 weeks' continuous employment with the employer, whichever is later.

The employee must also inform the employer of:

iii. the date which he/she has chosen as the date on which his period of adoption leave and pay should begin *(you must give 8 weeks notice); and
iv. the date on which the child enters Great Britain (no more than 28 days after the child enters Great Britain).
You must tell your employer that you will be taking adoption leave within 28 days of receiving official notification * or completing 26 weeks service with the Trust, whichever is the later.

You may choose to start your leave and pay from the date the child enters the country or from a fixed date up to 28 days later.

To claim Adoption Pay you must provide the following evidence:

- a copy of the official notification 28 days before the date you wish to claim
- further evidence of the date of entry, such as a plane ticket or copies of entry clearance forms within 28 days of the child entering Great Britain

Employees adopting a relative from overseas may qualify if they have been assessed and approved as being a suitable adoptive parent.

*Official notification in relation to overseas adoption means a written notification that the relevant domestic authority is prepared to issue a certificate to the overseas authority concerned with the adoption; or confirming that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.

The application form for adoption leave is attached at Appendix 3b.

3.9 OCCUPATIONAL ADOPTION LEAVE

Where the child is below the age of 18, adoption leave and pay will be in line with the occupational maternity leave and pay provisions as set out in this agreement.

All employees are entitled to take 52 weeks adoption leave (26 weeks ordinary adoption leave and 26 weeks additional adoption leave).

There will be entitlement to paid occupational adoption leave for employees wishing to adopt a child who is newly placed for adoption.

It will be available to people wishing to adopt a child who have primary carer responsibilities for that child.

Where the child is below the age of 18 adoption leave and pay will be in line with the maternity leave and pay provisions as set out in this agreement.

OCCUPATIONAL ADOPTION PAY
Eligibility

An employee will be eligible for occupational adoption pay if they:

• have 12 months’ continuous NHS service ending with the week in which they are notified of being matched with the child for adoption. This will cover the circumstances where employees are newly matched with the child by an adoption agency.

If there is an established relationship with the child, such as fostering prior to the adoption, or when a step-parent is adopting a partner’s children there is scope for local arrangements on the amount of leave and pay in addition to time off for official meetings.

If the same employer employs both parents the period of leave and pay may be shared. One parent should be identified as the primary carer and be entitled to the majority of the leave. The partner of the primary carer is entitled to Occupational paternity leave and pay.

Reasonable time off to attend official meetings in the adoption process should also be given.

Employees who are not eligible for occupational adoption pay, may still be entitled to Statutory Adoption Pay (SAP) subject to the qualifying conditions (see Sections 5.7.1 and 5.7.2). The rate of SAP is the same as for Statutory Maternity Pay.

4 Responsibilities

4.1 Pregnant employee

To inform her manager as soon as she knows she is pregnant and in any event not later than the end of the 15th week before the EWC.

• To access the Maternity and Adoption Policy and Procedure on the intranet, from their line manager or from Human Resources and seek additional advice if necessary.

• To comply with any requests to attend Occupational Health

• To make an application to take maternity leave which includes the date on which the leave is due to commence (complete Application for Maternity Leave in Appendix 3a).

• To provide the form Mat B1 which is normally issued at 26 – 28 weeks by the employee’s midwife or doctor
- To inform her manager of her intentions to return

- To contact the relevant Nursery Manager as soon as possible if needing a place at the nursery

If an employee wishes to undertake shared maternity leave the provisions and eligibility relating to this can be accessed within the Trust’s Special Leave policy. If eligible the employee must follow the process as outlined within the Special Leave Policy.

**Adoptive Parent**

- To access the Maternity and Adoption Policy and Procedure on the intranet, from their line manager or from Human Resources and seek additional advice if necessary

- To make an application to take adoption leave which includes the date on which the leave is due to commence (complete Application for Adoption Leave in Appendix 3b)

- An employee must inform their line manager of the match and provide the following information no more than seven days after the date on which they have been notified of matching, unless this is not reasonably practicable:
  - When the child is expected to be placed with them
  - When they want to start their adoption leave

**4.2 Manager**

- To ensure that the pregnant employee or adoptive parent has a copy of the Maternity and Adoption Policy and Procedure and seeks advice from Human Resources if necessary.

- To discuss maternity or adoption leave entitlements with the individual employee and to forward the countersigned Maternity or Adoption Leave application form to the Human Resources Department.

- To ensure that the pregnant employee is aware of her rights and obligations under this policy and is afforded appropriate time off for antenatal care or that an adoptive parent is aware of their rights and has time off for meetings relating to the adoption and all other entitlements.

- On notification of an employee’s pregnancy to perform a risk assessment of her workplace and conditions and do what is reasonably practicable to control any risk to the health of the mother, unborn child or child of a
woman who is breast feeding. To place a record of this risk assessment on the employee's personal file.

- To consider all physical, chemical and biological hazards in the workplace.

- To keep the member of staff who is on maternity or adoption leave informed about developments in the Trust and the ward/department.

- To facilitate and encourage keeping in touch days with the employee (see section 5.21)

- To inform Payroll by completing a Staff Amendment Form when the employee returns from maternity or adoption leave advising of any outstanding annual leave to be taken prior to return and confirming return date and number of hours to be worked.

- To ensure that the employee is able to return to the same post on the same terms and conditions

4.3 GENERAL INFORMATION

CONFIRMATION OF MATERNITY AND ADOPTION LEAVE AND PAY

Following receipt of the maternity/adoption leave application form the Payroll Department will confirm to the employee in writing:

i. the employee’s paid and unpaid leave entitlements under this agreement (or statutory entitlements if the employee does not qualify under this agreement);

ii. unless an earlier return date has been given by the employee, the employee’s expected date of return based upon the 52 weeks of paid and unpaid leave.

iii. the length of any period of accrued annual leave which it has been agreed may be taken following the end of the formal adoption or maternity leave period;

iv. the need for the employee to give at least 8 weeks/28 days notice if he/she wishes to return to work before the expected return date.

SERVICE INCREMENTS AND MATERNITY AND ADOPTION PAY

Maternity and adoption leave, whether paid or unpaid, shall count as service for annual increments and for the purposes of any service qualification period for additional annual leave. The expectation is that an employee on maternity or
adoption leave would progress through a KSF gateway on the due date if concerns had not been raised about the ability to meet their KSF outline prior to maternity leave.

CONTINUOUS SERVICE

Calculating Continuous Service

For the purposes of calculating whether the employee has 12 months continuous service with one or more NHS employers, the following provisions shall apply:

(i) NHS employers include health authorities, NHS Boards, NHS Trusts, Primary Care Trusts and the Northern Ireland Health Service;

(ii) a break in service of three months or less will be disregarded (though not count as service).

Breaks to disregard

The following breaks in service will also be disregarded (though not count as service):

i. employment under the terms of an honorary contract;

ii. employment as a locum with a general practitioner for a period not exceeding twelve months;

iii. a period of up to twelve 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;

iv. a period of voluntary service overseas with a recognised international relief organisation for a period of twelve months which may exceptionally be extended for twelve months at the discretion of the employer which recruits the employee on her return;

v. absence on a employment break scheme in accordance with the provisions of Section 36 of the Agenda for Change Terms and Conditions of Service;

vi. absence on maternity leave (paid or unpaid) as provided for under this agreement.

Employers may at their discretion extend the period specified in 5.13
Employment as a trainee with a General Medical Practitioner in accordance with the provisions of the Trainee Practitioner Scheme shall similarly be disregarded and count as service.

Employers have the discretion to count other previous NHS service or service with other employers.

**RISK ASSESSMENT**

When a manager is informed that an employee is pregnant, he/she has a duty to perform a risk assessment of her work activities and do what is reasonably practicable to control any risk to the health of the mother and child during or after the pregnancy or when breastfeeding.

All physical, chemical and biological hazards in the workplace need to be considered. Also, there are other aspects of pregnancy that may affect work and the impact will vary during the course of pregnancy, therefore their effects must be kept under review e.g morning sickness, increasing size, tiredness.

It may be necessary to make reasonable adjustments to the employee’s workplace or working patterns for example reducing hours, removal from night working, the removal of certain job duties.

If at any time an employee, or her manager, requires advice on fitness to undertake specific tasks, a referral should be made to the Occupational Health Department.

If it is found, or a medical practitioner considers, that an employee or her child would be at risk were she to continue with her normal duties, suitable alternative work should be provided for which the employee will receive her normal rate of pay. If no suitable alternative work is available the manager should contact Human Resources.

These provisions also apply to an employee who is breastfeeding if it is found that her normal duties would prevent her from successfully breastfeeding her child.

**SICKNESS (OUTSIDE OF THE 4 WEEKS BEFORE EWC)**

Absence prior to the last four weeks before the expected week of childbirth, supported by a medical statement of incapacity for work, or a self certificate, shall be treated as sick leave in accordance with normal sick leave provisions.

Odd days of pregnancy-related illness during this period may be disregarded if the employee wishes to continue working till the maternity leave start date previously notified to the employer.
In the event of illness following the date the employee was due to return to work normal sick leave provisions will apply as necessary and the employee will be deemed to have returned to work on the due date.

The employee must submit a self certificate, GP or in-patient medical certificate to cover any period of sickness and comply with the Trust’s Sickness Absence Policy.

**RETURN TO WORK**

No return to work will be allowed in the two weeks following childbirth (compulsory maternity leave).

The employee shall be entitled to return to their job under the original contract with terms and conditions that are no less favourable, provided they comply with the conditions of this policy and procedure.

Failure to notify his/her Manager and Human Resources of her intention to return within the given time scale (see Section 5.3) may affect his/her right to return to work. In addition the employee must physically return to work (unless sick as described in Section 5.15 above) and resume duties following the employee’s
maternity or adoption leave. Failure to do so may result in the forfeiture of his/her right to return.

An employee intending to return to work at the end of his/her full maternity or adoption leave entitlement will not be required to give any further notification although his/her manager may contact the employee during leave to confirm his/her intention to return. If he/she wishes to return to work earlier she must give at least 8 weeks/28 days (under occupational arrangements) notice. If this notice period is not observed the employer may postpone his/her return to work to one which does give the required notice period provided that this is not later than the end of the employee’s maternity or adoption leave.

Employees taking annual leave at the end of maternity or adoption leave will be deemed to have returned to work on the first day of annual leave and managers must submit a staff amendment form confirming the employee’s return effective from this date.

Where an employee returns to work within another NHS Trust it is his/her responsibility to ensure proof of employment is sent to the Human Resources Advisor and Payroll Officer.

It is the responsibility of the manager to ensure a Staff Amendment Form is completed and passed to Human Resources following the employee’s return to work as verification that the employee is back on duty.

RETURNING ON FLEXIBLE WORKING ARRANGEMENTS

If at the end of maternity or adoption leave the employee wishes to return to work on different hours, the manager has a duty to facilitate this wherever possible, with the employee returning to work on different hours in the same job. Requests must not be unreasonably refused and Managers are advised to consider flexible alternatives, including arrangements on a temporary basis. However, posts will not be created to accommodate a reduction in hours. Further information can be found in the Trust’s Flexible Working Policy.

If it is not possible to accommodate such a request the manager must provide written, objectively justifiable reasons for this and the employee should return to the same grade and work of a similar nature and status to that which they held prior to their maternity absence.

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

**FAILURE TO RETURN TO WORK**

Employees who do not return to work for a minimum of three months at either this Trust or another NHS employer within 15 months of their commencement of maternity or adoption leave shall be liable to pay back the whole of the occupational maternity or adoption pay, less any statutory maternity or adoption pay, received. In cases where the employer considers that to enforce this provision would cause undue hardship or distress the employer will have the discretion to waive their rights to recovery.

Bank work does not count as returning to work for the purposes of maternity or adoption pay. You would need to return to a permanent or fixed term position (of three months or more) within the NHS if you did not want to repay that part of your maternity or adoption pay.

**INTENTION NOT TO RETURN TO NHS EMPLOYMENT**

An employee who satisfies the conditions for occupational maternity or adoption pay, except that he/she does not intend to work with the same or another NHS employer for a minimum period of three months after her maternity or adoption leave is ended, will be entitled to pay equivalent to statutory maternity or adoption pay (See section 5.4 and 5.7 and details in Appendix 2).

Employees not intending to return to work in the NHS should submit the maternity or adoption leave application form (Appendix 3a and 3b) with a formal written resignation and the MAT B1 certificate (if applicable) to their Manager who will forward it to Human Resources.

All employees will have a right to take 52 weeks of maternity or adoption leave whether or not they return to NHS Employment.

The manager should complete a leaver form in the usual way.

**PREGNANCY OCCURRING DURING MATERNITY LEAVE**

Paid and unpaid maternity and adoption leave counts as continuous and qualifying service for subsequent periods of maternity leave. This means that an
employee who becomes pregnant while already on maternity or adoption leave is entitled to a further period of maternity leave. However, as occupational maternity pay and statutory maternity pay is calculated on the level of average weekly earnings from the 8 weeks prior to the 14th week prior to the expected week of confinement the employee may not qualify for any pay during the subsequent period of leave.

**WORKING DURING MATERNITY OR ADOPTION LEAVE AND KEEPING IN TOUCH**

Employees must not undertake any paid work while on paid maternity or adoption leave (except for work undertaken as a Keeping In Touch Day – see below). They may work, for example through Temporary Staffing Bureau, during the unpaid part of their maternity or adoption leave.

**Keeping in touch**

Before going on leave, the manager and the employee should also discuss and agree any voluntary arrangements for keeping in touch during the employee’s maternity or adoption leave including:

i. any voluntary arrangements that the employee may find helpful to help her keep in touch with developments at work and, nearer the time of his/her return, to help facilitate his/her return to work;

ii. keeping the employer in touch with any developments that may affect his/her intended date of return.

**Keeping in touch days**

In addition, an employee on maternity or adoption leave can undertake up to 10 ‘Keeping in Touch (KIT) Days’ which does not affect their entitlement to maternity or adoption pay. The KIT day could be for one hour or a whole day; it will still be counted as a KIT day.

These days can be taken during Ordinary or Additional Maternity or Adoption Leave but not during compulsory maternity leave. The days can be taken as a block or as separate days. These arrangements should be agreed between the employee and their line manager.
This provision should be encouraged by managers and could for example be used for the following:

• Attendance at a training course
• Attendance at an appraisal
• Attendance at team meetings

Line managers may not oblige employees to undertake any work during their maternity or adoption leave and employees are not entitled to be offered any work to do.

If an employee is to undertake work whilst on a KIT Day, a risk assessment should be performed prior to commencing the work to ensure that it is safe to do so. This documentation should be kept on the employee’s personnel file.

Remuneration for any work undertaken must be agreed between the employee and their line manager and should consider the scope for reimbursement of reasonable childcare costs or the provision of childcare facilities. The employee will be paid at their basic daily rate, for the hours worked less appropriate maternity leave payment for KIT Days worked.

EMPLOYEES WITH LESS THAN TWELVE MONTHS CONTINUOUS NHS SERVICE

If an employee does not satisfy the conditions for occupational maternity or adoption pay she may be entitled to statutory maternity or adoption pay (see Sections 5.4 and 5.7). If the employee’s earnings are too low to qualify for statutory maternity or adoption pay, or the employee does not qualify for another reason, they will be advised to claim Maternity Allowance from her local Job Centre Plus or social security office. See Appendix 1 for details.

FIXED TERM OR ROTATIONAL TRAINING CONTRACTS

An expectant mother who is on a fixed term or training contract which expires after the 11th week before the expected week of childbirth will have her contract extended to allow her to receive the 52 weeks which includes the paid contractual and statutory maternity pay and the remaining 13 weeks of unpaid maternity leave.
If there is no right of return to be exercised because the contract would have ended if pregnancy and childbirth had not occurred, the repayment provisions will not apply.

Employees on fixed-term contracts who do not meet the twelve months continuous service condition may still be entitled to statutory maternity pay.

Where an employee is on a planned rotation of appointments with one or more NHS employers as part of an agreed programme of training, she shall have the right to return to work in the same post or in the next planned post irrespective of whether the contract would otherwise have ended if pregnancy and childbirth had not occurred. In such circumstances the employee’s contract will be extended to enable the practitioner to complete the agreed programme of training.

Absence on maternity leave (paid and unpaid) up to 52 weeks before a further NHS appointment shall not constitute a break in service.

When the contract is extended and the employee has no contract to return to this Trust, there is no entitlement to sick leave when maternity leave ends.

**NHSP/BANK WORKERS**

Bank workers may be entitled to statutory maternity pay and leave however this depends on average earnings over a fixed period prior to pregnancy/birth. Bank workers should make contact with the Payroll Department to see if there is any entitlement.

**POST-NATAL CARE AND BREASTFEEDING MOTHERS**

Women who have recently given birth should have paid time off for post-natal care e.g. attendance at health clinics.

Employers are required to undertake a risk assessment and to provide breastfeeding women with suitable private rest facilities. The Health and Safety Executive Guidance recommends that employers provide:

- a clean, healthy and safe environment for women who are breastfeeding;
- suitable access to a private room to express and store milk in an appropriate refrigerator.

Employers are reminded that they should consider requests for flexible working
arrangements to support breastfeeding women at work

**PREMATURE BIRTH**

Where an employee’s baby is born alive prematurely, the employee will be entitled to the same amount of maternity leave and pay if her baby was born at full term.

Where an employee’s baby is born before the eleventh week before the expected week of childbirth, and the employee has worked during the actual week of childbirth, maternity leave will start on the first day of the employee’s absence.

Where an employee’s baby is born before the eleventh week before the expected week of childbirth, and the employee has been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start at the day after the day of the birth.

Where an employee’s baby is born before the eleventh week before the expected week of childbirth and the baby is in hospital, the employee may split her maternity leave entitlement, taking a minimum period of two weeks leave immediately after childbirth and rest of her leave following her baby’s discharge from hospital.

Staff are reminded of the free support services provided by the Employee Assistance Scheme on 0800 781 7936.

**MISCARRIAGE**

Where an employee has a miscarriage before the 25th week of pregnancy normal sick leave provisions will apply.

Staff are reminded of the free support services provided by the Employee Assistance Scheme on 0800 781 7936.

**STILL BIRTH**

Where an employee’s baby is born dead after the 24th week of pregnancy the employee will be entitled to the same amount of maternity leave and pay as if her baby was born alive.

Staff are reminded of the free support services provided by the Employee Assistance Scheme on 0800 781 7936.
4.4 RIGHTS DURING MATERNITY OR ADOPTION LEAVE

During maternity or adoption leave (both paid and unpaid) an employee retains all of his/her contractual rights with the exception of remuneration.

Incremental Date Employees absent on paid or unpaid maternity and adoption leave will retain their original incremental date and the period of leave shall count towards service qualification for additional annual leave.

Annual Leave Annual leave accrued before maternity or adoption Leave begins must be taken prior to the start of maternity or adoption leave.

Annual leave will continue to accrue at the normal rate during paid and unpaid maternity and adoption leave.

Unpaid leave shall count as service for the purpose of satisfying the service qualification for additional annual leave.

Where the amount of accrued annual leave would exceed normal carry over provisions, it may be mutually beneficial to both employer and employee for the employee to take annual leave before and/or after the formal (paid and unpaid) maternity and adoption leave period. The amount of annual leave to be taken in this way, or carried over, should be discussed and agreed between the employee and employer.

The maternity and adoption leave period (paid and unpaid) is continuous. Annual leave may be taken immediately before or after maternity leave but not in between.

Public Holidays For staff who work a 24 hour, 7 day week rota and whose annual leave is calculated inclusive of bank holidays, this will also accrue during maternity and adoption leave. If a public holiday falls within a period of paid maternity or adoption leave, payment shall not be granted instead of time off.
Pension All maternity and adoption leave is counted as continuous service in respect of pension. Pension rights and contributions shall be dealt with in accordance with the provisions of the NHS Superannuation Regulations.

Pension - Employees not returning to work

An employee who leaves work to have a baby or take adoption leave without intending to return should, for pension purposes, be regarded as terminating their employment on his/her last day working day unless he/she contacts the Pensions department to make the necessary arrangements to extend his/her contributory service to cover the period of maternity or adoption leave.

Paid and unpaid maternity and adoption leave will be regarded as extending service with the Trust. Arrangements to extend his/her contributory service to cover the paid and unpaid maternity or adoption leave, prior to going on maternity or adoption leave so that the appropriate deductions can be made. If this is not done, pensionable service cannot be extended to cover the eighteen week period.

Discrimination: Employees on maternity or adoption leave are entitled not to be subject to discrimination or unfavourable treatment related to their pregnancy or impending absence on maternity or adoption leave. Managers must ensure that their employee does not experience the following:

- Exclusion from training, appraisal or other normal activities
- Demotion
- Detrimental changes to job duties
- Removal of responsibility
- Denial of sick pay if absent on account of a pregnancy related illness
- Pressure to resign or dismissal
- Abuse or derogatory remarks

Or any other form of direct or indirect discrimination, harassment or victimisation

Any dismissal which is directly or indirectly related to the fact that an employee is pregnant will be deemed automatically unfair and discriminatory.
Redundancy: Where an employee is unable to return to her previous job due to a redundancy situation, the employee is entitled to be offered a suitable alternative vacancy where one is available. This position must be on terms not substantially less favourable than her old terms.

If there are no suitable alternative vacancies an employee may be made redundant during or after maternity or adoption leave as long as a fair selection process has been applied.

**NURSERY PROVISION AND CHILDCARE VOUCHERS**

**Rainbow Nursery, Crawley Hospital (Managed by West Sussex PCT)**

The Rainbow Nursery is based in the grounds of the Crawley Hospital. For more information call 01293 419260.

**Sunshine Day Nursery, East Surrey Hospital (Managed by Surrey & Sussex NHS Trust)**

This is a collaborative facility with neighboring Trusts - Surrey PCT, Surrey Borders Partnership and Surrey Ambulance.

The nursery caters for children from 3 months – 5 years of age. The children are divided into 3 age groups, 0-2yrs, 2-3yrs and 3-5yrs with about 20 children in each group. The nursery is currently open from 7.30 am – 6 pm 52 weeks a year.

For further information, please contact the Nursery manager on extension 2829.

**Childcare Vouchers**

The Trust operates a system of childcare vouchers to assist staff with the cost of childcare. Further details are available from the nursery or by contacting Busy Bees direct for a Parent Information pack on 0800 0430 860 or look on [www.busybees.com](http://www.busybees.com).

**OTHER BENEFITS**

The Government provide a range of benefits. These are benefits not related to your employment with the Trust. These benefits may change from time to time and you are advised to check current provision and obtain further information from:
I picking up a leaflet from local Post Office

ii phoning the Inland Revenue’s special Response line on 0800 5975976 to ask if they could be eligible

ii Department of Trade and Industry (DTI) booklet Maternity Rights: a guide for employers and employees Copies can be obtained by telephoning 0870 1502 500 www.dti.gov.uk/er/individual/maternity.pdf

iv Department for Work and Pensions (DWP) booklet A Guide to Maternity Benefits (NI 17A) Copies can be obtained from local benefits offices www.dwp.gov.uk/lifeevent/famchild/index.htm

v staff should contact the Benefits Agency for up to date information about benefits in relation to family and child care

HELP AND SUPPORT

Lists of childcare facilities are also available through Ofsted (see their website www.ofsted.gov.uk).

Pregnancy, childbirth and looking after a new baby can be very enjoyable but can also present challenges for the new mother and her immediate family and friends. The Trust’s Employee Assistance Programme is a source of free advice, information and support, including counselling if appropriate. The freephone number is 0800 7817936 (minicom 0800 7817935). Calls to these lines are completely confidential and are not traceable on phone bills.
WORK-LIFE BALANCE

The Trust operates a range of policies which facilitate work-life balance. In addition to the Flexible Working Policy, a range of leave provisions, such as Parental leave, Paternity Leave, Emergency Leave and Time Off for further details of which can be found in the Trust's Special Leave policy.

4.5 Consultation and Communication with Stakeholders

This policy has been developed by the Human Resources Department. It has amended the previous Maternity policy by including the new statutory maternity and adoption provisions, which came into force on 1st April 2007 within UK legislation. This policy also includes amendments to the NHS Agenda for Change Terms and Conditions of Service were consulted on at a national level with recognised trade union organisations.

4.6 Approval and Ratification

The sponsoring group is the Workforce Heads Group and the policy will be ratified at management Board. The Board will be assured that an Equality Impact assessment has been carried out and the policy requires no amendment as a result.

Review and Revision

The Policy Coordinator will manage the database/system for policy review. This policy will be reviewed No later than 24 August 2015.

5 Compliance Monitoring arrangements

This policy shall be monitored by the Trust in order to ensure consistency and equitable implementation equality data. Any issues identified will be addressed via the appropriate manager with support from Human Resources.

The policy will be held in the Trust database and archived in line with the arrangements in the Organisation Wide for the Management of Procedural Documents.

6 Training to ensure compliance with this policy

Training will be provided to implement this policy. The Trust process for dissemination of policies will be followed described in the Organisation Wide Policy for the Management of Procedural Documents as a minimum. The policy will be made available to all staff electronically through the Trust intranet. Paper copies will be available from the Trust library services of by contacting Human Resources. Staff will be made aware of the policy through an electronic bulletin and managers will bring it to the attention of their staff if they do not have ready access to the intranet. Training be supported by staff training.
7 References and associated documents

References

Type text here guidance below

Agenda for Change, NHS Terms and Conditions of Service Handbook, January 2005
Management of Health and Safety at Work Regulations 1992

Associated documents

Type text here guidance below Agenda for Change, NHS Terms and Conditions of Service Handbook Surrey and Sussex Healthcare NHS Trust, Flexible Working Policy Surrey and Sussex Healthcare NHS Trust, Special Leave Policy

Appendix 1 Equality Analysis (EqA)

By completing this document in full you will have gathered evidence to ensure, documentation, service delivery and organisational decisions have due regard for the Equality Act 2010. This will also provide support the Public Sector Equality Duty.

<table>
<thead>
<tr>
<th>Name of the policy / function / service development being assessed</th>
<th>Maternity and adoption leave and pay policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date last reviewed or created &amp; version number</td>
<td>complete</td>
</tr>
<tr>
<td>Briefly describe its aims and objectives:</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------</td>
<td></td>
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<tr>
<td>This policy has been produced to help you find out your entitlement to maternity or adoption pay and leave. It is the policy of Surrey &amp; Sussex NHS Trust to comply with Agenda for Change NHS Terms &amp; Conditions of Service, the Employment Relations Act 1999 and the Employment Act 2002 in respect of maternity and adoption provisions and the provisions relating to maternity leave and pay under the Work and Families Act 2006.</td>
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<table>
<thead>
<tr>
<th>Directorate lead</th>
<th>HRD</th>
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<tbody>
<tr>
<td>Target audience (including staff or patients affected)</td>
<td>employees</td>
</tr>
<tr>
<td>Screening completed by (please include everyone’s name)</td>
<td>Organisation</td>
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## Maternity & Adoption Leave

**Equality Group**

(Or protected characteristic):

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<thead>
<tr>
<th>Equality Group</th>
<th>What evidence has been used for this assessment?</th>
<th>What engagement and consultation has been used</th>
<th>Identify positive and negative impacts</th>
<th>How are you going to address issues identified?</th>
<th>Lead and Timeframe</th>
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</thead>
<tbody>
<tr>
<td>Age</td>
<td>No</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Disability</td>
<td>Yes low</td>
<td></td>
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<tr>
<td>Gender reassignment</td>
<td>No</td>
<td></td>
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<td></td>
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<tr>
<td>Marriage &amp; Civil partnership</td>
<td>No</td>
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<tr>
<td>Pregnancy &amp; maternity</td>
<td>Yes low positive</td>
<td></td>
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<tr>
<td>Race</td>
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<tr>
<td>Religion &amp; Belief</td>
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<td></td>
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<tr>
<td>Sex</td>
<td>Yes low</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Sexual orientation</td>
<td>No</td>
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<tr>
<td>Carers</td>
<td>No</td>
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</table>
## Appendix 2  MATERNITY AND ADOPTION LEAVE AND PAY CHART

<table>
<thead>
<tr>
<th>SERVICE</th>
<th>LEAVE ENTITLEMENT</th>
<th>MATERNITY PAY</th>
<th>ENTITLEMENT</th>
</tr>
</thead>
</table>
| Less than 26 weeks continuous service up to 15th week before the expected week of childbirth | 26 weeks ordinary maternity or adoption leave and 26 weeks additional maternity or adoption leave | NIL  
*Contact Payroll for information about claiming Maternity Allowance or other benefit* | NIL |
| 26 weeks continuous service with the Trust up to 15th week before the expected date of confinement but less than 1 year's NHS service by the 11th week before the expected week of childbirth | 39 weeks leave with statutory maternity provisions plus up to 13 weeks unpaid maternity leave (total 52 weeks) | 6 weeks higher rate of 90% of the employee's average weekly earnings.  
33 weeks at the lower rate set by the government or 90% of average weekly earnings if the standard rate is more than 90% of average weekly earnings. | 6 weeks at 90% of the employee's average weekly earnings.  
33 weeks at the standard rate set by the government or 90% of average weekly earnings if the standard rate is more than 90% of average weekly earnings. |
Over 1 year’s continuous service with one or more NHS employer at the beginning of the 11th week before the expected week of childbirth

39 weeks paid leave with contractual provisions plus up to 13 weeks unpaid leave maternity leave (total 52 weeks)

- 8 weeks at full pay (less any statutory maternity pay or allowance).
- 18 weeks at half pay (plus any statutory maternity pay or allowance as long as that does not exceed full pay).
- 13 weeks at lower rate set by the government or 90% of average weekly earnings if the standard rate is more than 90% of average weekly earnings.

6 weeks at 90% of the employees average weekly earnings.

33 weeks at the standard rate set by the government or 90% of average weekly earnings if the standard rate is more than 90% of average weekly earnings.

Continuous service – breaks in service of less than three months shall be disregarded

For more details about pay contact payroll department

*SMP – note conditions are laid down by DSS and relate to earnings (£112.75 from 1/4/07)
Appendix 3 (a)

APPLICATION FOR MATERNITY LEAVE

Applicants: Once you have completed this form inserting the appropriate dates, sign overleaf and pass to your manager for authorisation of leave. This form must be submitted with your MatB1 Maternity Certificate (obtained from your midwife/doctor around your 26th week of pregnancy) to the Human Resources Department.

Personal Details

Surname: .................................. Forename(s): ................................

Home Address: .................................................................

Job Title: .......................................................... Ward/Dept: .........................

Date Commenced NHS: ............... Date Commenced Surrey & Sussex: .......

Expected Date of Confinement: ............... Base: .....................

--------------------------------------------------------------------------------------------------------------

Applicant’s Declaration

I have read the Maternity and Adoption Policy and understand that these are a summary of the main regulations.

* I wish to commence maternity leave: On Sunday ............................

This has been agreed with my manager and I understand that he/she may refer me to the Occupational Health Department at any time beyond the eleventh week (before the expected week of confinement) if there are concerns about my health.

* I intend to return to work: YES ☐ NO ☐

* Anticipated date of return: .........................................................

* If returning, I undertake to continue in the National Health Service for a minimum period of three months subsequent to my actual return to duty after the expiration of this leave

* I fully understand that if I fail to return to work for the stipulated period I shall be liable to refund any maternity pay to which I am not entitled.

* I undertake to advise both my manager and the Human Resources Advisor in writing of any developments which may affect my intended date of return.
* I would like my manager to keep in touch with me by

…………………………………………

* I have discussed my annual leave entitlement and agreed that

…………………………………………

Signed: ………………………………………………………………………………………………………

Print Name: …………………………………………………………………………………………………

Dated: ………………………………………………………………………………………………………

If not returning

I enclose a letter of resignation:

Signed: ………………………………………………………………………………………………………

Print Name: …………………………………………………………………………………………………

Dated: ………………………………………………………………………………………………………

Manager’s declaration

I have discussed maternity leave with the above and I am aware of her intentions. We have also discussed keeping in touch and her annual leave entitlement.

Signed: ………………………………………………………………………………………………………

Print Name: …………………………………………………………………………………………………

Dated: ………………………………………………………………………………………………………

This form must be forwarded together with the MatB1 to the Human Resources Advisor around the 26th week of pregnancy but no later than 28 days prior to commencing maternity leave.

Copies to: Manager

Employee

Payroll

File
Appendix 3 (b)

APPLICATION FOR ADOPTION LEAVE

Applicants: Once you have completed this form inserting the appropriate dates, sign overleaf and pass to your manager for authorisation of leave. This form must be submitted with your Adoption Confirmation paperwork to the Human Resources Department.

Personal Details

Surname: ............................................ Forename(s): .................................................

Home Address: ......................................................... .......................................................

Job Title: .................................................... Ward/Dept: .............................................. Date

Commenced NHS: ......................... Date Commenced Surrey & Sussex: .........................

Expected Date of Placement: ......................... Base: ..............................................

-----------------------------------------------------------------------------------------------

Applicant’s Declaration

I have read the Maternity & Adoption Policy and understand that these are a summary of the main regulations.

* I wish to commence adoption leave: On Sunday ..........................................

* I intend to return to work: YES NO

* Anticipated date of return: ..........................................

* If returning, I undertake to continue in the National Health Service for a minimum period of three months subsequent to my actual return to duty after the expiration of this leave.

* I fully understand that if I fail to return to work for the stipulated period I shall be liable to refund any adoption pay to which I am not entitled.

* I undertake to advise both my manager and the Human Resources Advisor in writing of any developments which may affect my intended date of return.

* I would like my manager to keep in touch with me by ............................................ I have discussed my annual leave entitlement and agreed that ...........................................................

Page 42 of 46
Signed: .................................................................
Print Name: ...........................................................
Dated: .................................................................

If not returning
I enclose a letter of resignation:
Signed: .................................................................
Print Name: ...........................................................
Dated: .................................................................

Manager’s declaration
I have discussed maternity leave with the above and I am aware of her intentions. We have also discussed keeping in touch and her annual leave entitlement.
Signed: .................................................................
Print Name: ...........................................................
Dated: .................................................................

This form must be forwarded together with the Adoption Confirmation paperwork to the Human Resources Advisor around the 26th week of pregnancy but no later than 28 days prior to commencing maternity leave.

Copies to: Manager
Employee
Payroll
File
Appendix 4

MATERNITY LEAVE CHECKLIST FOR THE EMPLOYEE

To inform her manager as soon as she knows she is pregnant.

To access the Maternity and Adoption Policy and Procedure on the intranet, from her manager or from Human Resources and seek additional advice if necessary.

To comply with requests to attend Occupational Health.

To complete the Maternity Leave Application form (Appendix 2a)

To obtain her MATB1 Certificate from the doctors around her 26th week of pregnancy.

To forward the completed Maternity Leave Application form and MATB1 Certificate to her manager to countersign.

To inform her manager of her intentions to return.

To contact the Nursery Manager as soon as possible if needing a place at one of the on site nurseries.

To inform of any changes to leave start dates or return to work dates within given timescales

MATERNITY LEAVE CHECKLIST FOR THE MANAGER

To ensure that the pregnant employee has a copy of the Maternity and Adoption Policy and Procedure and seeks advice from Human Resources if necessary.

On notification of an employee’s pregnancy to perform a risk assessment of her work place and conditions and do what is reasonably practicable to control any risk to the health of the mother, unborn child or child of a woman who is breast feeding.

To consider all physical, chemical and biological hazards in the workplace.

To countersign the employees maternity leave application after discussing it with her and send with the employees MATB1 Certificate to the Human Resources Department.

To send a completed Staff Amendment Form to the Human Resources Department confirming when the pregnant employee will start maternity leave. Human Resources will then forward this on to Payroll

To keep the member of staff who is on maternity leave informed about developments in the Trust and the ward/department.

To encourage or facilitate Keeping in Touch days
To send a completed Staff Amendment Form to the Human Resources Department when the employee returns from maternity leave. Human Resources will then forward this on to payroll.
Appendix 5

ADOPTION LEAVE CHECKLIST FOR THE EMPLOYEE
To inform their manager no more than 28 days after the date on which official notification or the date on which he completes 26 weeks’ continuous employment with the employer, whichever is later.

To access the Maternity and Adoption Policy and Procedure on the intranet, from his/her manager or from Human Resources and seek additional advice if necessary.

To comply with requests to attend Occupational Health.

To complete the Adoption Leave Application form (Appendix 2b).

To forward the completed Adoption Leave Application form to his/her manager to countersign.

To inform her manager of his/her intention to return to work.

To contact the Nursery Manager as soon as possible if needing a place at one of the on site nurseries.

To inform of any changes to leave start dates or return to work dates within given timescales

ADOPTION LEAVE CHECKLIST FOR THE MANAGER
To ensure that the adoptive parent has a copy of the Maternity and Adoption Policy and Procedure and seeks advice from Human Resources if necessary.

To countersign the employees adoption leave application after discussing it with the employee and send to the Human Resources Department.

To send a completed Staff Amendment Form to the Human Resources Department confirming when the adoptive parent will start adoption leave. Human Resources will then forward this on to Payroll.

To keep the member of staff who is on adoption leave informed about developments in the Trust and the ward/department.

To encourage or facilitate Keeping in Touch days

To send a completed Staff Amendment Form to the Human Resources Department when the employee returns from adoption leave. Human Resources will then forward this on to Payroll.