

Maternity Handbook

This handbook has been written for the guidance of employees and for the information of managers.

It sets out entitlements to maternity pay and leave and the procedure an employee should follow when she wishes to take maternity leave.

If you require further information or any additional copies of this handbook please contact a member of Human Resources on 01442 228568 / 228485 / 228606.

Contents

	Page No:
What does all the Maternity Terminology mean?	3
Maternity Leave and Pay	3/4
Notice Periods	5
Maternity Risk Assessment	5
Alternative work during pregnancy	6
When can you start Maternity Leave?	6
What happens if you are sick before you go on Maternity Leave?	7
Work during Maternity Leave/keeping in touch/reasonable contact	7
Returning to work	7
If you are sick at the end of your Ordinary or Additional Maternity Leave	7
What if you decide not to return to work after your Maternity Leave?	7
What if you are not sure about returning to work?	8
What if you don't return to work after saying you will?	8
Fixed-term and temporary contracts	9
Other leave	9
Increments, annual leave, Bank Holidays, allowances and pension	9/10
Other information	10
Day Nursery Care	10
Child care vouchers	10
Who you need to liaise with?	11
What if I'm not entitled to receive Statutory Maternity Pay?	11
Parental Leave	11

1. What does all the Maternity Terminology mean?

Once you discover that you are expecting a baby and start investigating your entitlements, you will probably hear lots of abbreviations in relation to pregnancy and maternity leave. The most common ones have been summarised for you:

EWC	This is your Expected Week of Childbirth which means the week in which the doctor or midwife expects your baby to be born. You will be given a provisional date when the doctor first confirms your pregnancy, however it is only when you receive your MAT B1 certificate that the date is confirmed.
QW	This is your Qualifying Week which means the week, 15 weeks before the day your baby is expected to be born. This date is used when confirming your maternity entitlements.
SMP	This refers to Statutory Maternity Pay which is the rate of pay set down by the government which you are entitled to receive during your maternity leave. This rate increases every April.
MAT B1	This is a medical certificate provided to you by your doctor or midwife to confirm the date your baby is due. You should usually receive it around week 24 of pregnancy.
OML	This is Ordinary Maternity Leave which refers to the first 26 weeks of your maternity leave.
AML	This is Additional Maternity Leave which immediately follows the first 26 weeks of your maternity leave.
KIT	This refers to Keeping in Touch days. KIT days are days when you can attend work during your leave without breaking your maternity leave. You will receive pay at your normal rate for each day. Payment of SMP will not be affected.

2. Maternity Leave and Pay

You are entitled to maternity leave regardless of the length of service you have or the hours you work. You will need to follow the procedure detailed on Page 11 of this handbook. You will also need to provide the Council with the appropriate notice and a certificate from your midwife or GP (MAT B1) confirming your expected week of childbirth (EWC).

Employees with at least one year's continuous service at the Qualifying Week

Maternity Leave

You are entitled to take a total of 52 weeks leave. The first 26 weeks are known as Ordinary Maternity Leave and the final 26 weeks are known as Additional Maternity Leave.

Maternity Pay

Week's 1-6 you will receive 90% of average weekly earnings**

If you have stated in writing that you intend to return to work for a minimum of 3 months following Maternity Leave you will receive:

Week's 7-18 half pay plus Statutory Maternity Pay (SMP), which is currently £138.18 per week (If the two added together exceed your normal full pay it will only be possible to pay you full pay). If you would like to spread payment of your half pay over 33 weeks instead of 12 weeks please discuss this with Payroll.

Week's 19-39 SMP, which is currently £138.18 per week

If you have stated in writing that you do not intend to return to work following Maternity Leave, or that you do not wish to receive half pay until you return to work, you will receive: -

Week's 7-39 SMP, which is currently £138.18 per week

Employees with less than one year's continuous service, but more than 26 weeks service, at the Qualifying Week

Maternity Leave

You are entitled to take a total of 52 weeks leave. The first 26 weeks are known as Ordinary Maternity Leave and the final 26 weeks are known as Additional Maternity Leave.

Maternity Pay

Week's 1-6 you will receive 90% of average weekly earnings**

Week's 7-39 SMP, which is currently £136.78 per week

**** Average earnings are calculated at the qualifying week. Employees should contact Payroll for clarification of this when they have received their MAT B1.**

N.B. The flat rate SMP, payable from week 7, is not reduced if you work part-time unless you earn less than £138.18 per week. If this is the case you will receive 90% of your average weekly earnings. In addition, to qualify for SMP, you must earn at least as much as the lower earnings limit for National Insurance, which is currently £111 per week.

Continuous service is service without a break (a break is defined as 1 week including 2 weekends) and includes service with other local authorities.

If you have returned to work in local government, following a break for maternity reasons, you will be entitled to have previous service taken into account in respect of the maternity scheme, provided that the break in service does not exceed 8 years and that no permanent paid full time employment has intervened.

If you are at all concerned about your entitlements, please contact a member of HR.

Employees with less than 26 weeks service, at the Qualifying Week

Maternity Leave

You are entitled to take a total of 52 weeks leave. The first 26 weeks are known as Ordinary Maternity Leave and the final 26 weeks are known as Additional Maternity Leave.

Maternity Pay

SMP will only be payable if the employee has been employed continuously for at least 26 weeks ending with the 15th week before the expected week of childbirth, and has average weekly earnings at least equal to the lower earnings limit for National Insurance contributions.

Women who do not qualify for SMP may be entitled to Maternity Allowance, paid by the Benefits Agency, for up to 39 weeks. To qualify, individuals must have been employed or self-employed for 26 weeks out of the 66 weeks before the Expected Week of Childbirth.

Employees should contact Payroll for clarification of the above. Payroll will provide employees with an SMP1 form and MA1 form which they will need to take to their local Jobcentre Plus office, along with their MAT B1. Please see Section 21 of this Handbook.

3. Notice periods

You are required to notify us by the Qualifying week of the following: -

- That you are pregnant
- The week your baby is expected to be born
- When your maternity leave is to start

Please complete the Maternity Leave Notification form (Appendix A) and send it to a member of HR. If, at a later time, you wish to change the date you would like to

start maternity leave, you need to give us 28 days notice. If you are unable to do this, we will try to be as flexible as possible.

4. Maternity Risk Assessment

Once you have informed a member of HR about your pregnancy, a meeting will be arranged with you to discuss the pregnancy and conduct a risk assessment with Health and Safety. This is to ensure that the work which you carry out poses no risk to you or your baby. The risk assessment will cover the following areas:-

- The impact of morning sickness
- Manual handling
- Workstation arrangements
- Temperature
- Rest breaks and rest areas
- Availability of suitable toilet facilities
- Parking and travel arrangements
- Exposure to hazardous substances
- Working with vulnerable adults and clients, eg; Sheltered Housing Officers
- Lone working
- Home working
- Work environment

Once the risk assessment has been completed, then you must comply with any guidance provided and you should inform Health and Safety immediately if there is any change to your circumstances. Further risk assessments may be necessary during your pregnancy.

In line with the risk assessment is your responsibility not to put either your own health and safety or that of your baby, at risk. This is especially relevant with regards to lifting or carrying.

If you are unsure, you should speak to Health and Safety, before attempting any form of work which may put the health of you or your baby at risk.

5. Alternative work during pregnancy

If prior to the 4th week before your EWC you are unable to continue in your job because of your pregnancy the Council will look into the possibility of adjusting your working conditions and/or hours of work. If this is not possible we will provide you with alternative work, if reasonably practical. You will continue to receive your normal rate of pay even if the job is normally paid at a lower rate. This also applies if you have given birth in the last 6 months or if you are breastfeeding a child. If there is no suitable alternative work you will be suspended on full pay.

6. When can you start maternity leave?

You can start your maternity leave at any time following the Sunday at the beginning of the 11th week before the expected week of childbirth. You may work right up to the date of delivery provided you are fit to do so.

You may be asked to provide a Fit Note from your GP in this situation.

If you have worked during the week of your delivery your leave will start from the first day of absence.

If your baby is born before your intended start date, your maternity leave will commence from the day following the birth. You can also choose to split your maternity leave if your child is taken into hospital, taking some leave immediately after the delivery, and then taking the rest of the leave once your child has been discharged.

7. What happens if you are sick before you go on maternity leave?

All sickness up to 4 weeks before the EWC will be counted as sick leave and the normal sick leave procedures will be followed.

If you are sick after the 4th week before the EWC and it is related to your pregnancy then maternity leave will automatically commence from the first day of absence.

If you are sick after the 4th week before the EWC and it is unrelated to your pregnancy, then the absence will be counted as sick leave and the normal sick leave procedures will be followed.

8. Working during maternity leave / keeping in touch / reasonable contact

Your manager may make 'reasonable contact' with you whilst you are on maternity leave. This might include talking about workplace changes, providing information regarding promotional opportunities or discussing your return to work.

You may work for up to 10 days (Keeping in Touch Days, known as KIT days) during your maternity leave without bringing it to an end. You will receive salary at your usual daily rate of pay. No work may be done during the 2 weeks following the birth and working for part of a day will count as one day.

If you work more than 10 days you will lose your SMP for the week that you exceed this limit, and thereafter maternity leave will not be extended to take account of any work carried out.

Any work done during maternity leave is to be by mutual agreement with your manager and may include training or any activity for the purposes of keeping in touch with the workplace.

It is your Manager's responsibility to advise the Payroll Department when you carry out a Keeping In Touch Day.

9. Returning to work

You have an automatic right to return to work following a period of maternity leave on terms and conditions no less favourable than those that were applicable to you before your maternity leave commenced.

It will be assumed that you will return to work at the end of your maternity leave period unless you write to your manager stating that you wish to return earlier. If this is the case you are required to give 3 months notice when returning early from maternity leave.

You have no automatic right to return to work part time after maternity leave. You have the right to ask for flexible working using the Flexible Working policy, (section 2 of the Employee Handbook) and the Council will try and meet the needs of those individuals who would like more flexible working arrangements. This should be agreed with your manager where possible **before** you go on maternity leave and must not be regarded as an automatic right.

A formal application for flexible working must be made no later than 3 months prior to the end of your maternity leave period. Please refer to the Flexible Working policy for full details.

Employees with at least one year's service at the Qualifying Week

If you do not choose the deferred option and return to work after your maternity leave you must do so for at least 3 months or you will be asked to pay back the 12 weeks at half pay (excluding SMP).

10. If you are sick at the end of your ordinary or additional maternity leave?

If you're sick when you are due back to work at the end of your Ordinary or Additional Maternity Leave (OML or AML), you must get a Fit Note from your GP to send to your employer. Your OML will end at the end of the 26th week, your AML at the end of the 52nd week and you will then go onto sick leave. You will be protected from unfair dismissal for an additional four weeks if you are sick for this period.

11. What if you decide not to return to work after your maternity leave?

If you decide not to return to work after your maternity leave you should resign in the normal way by sending a letter to your manager and also a copy to HR.

12. What if you are not sure about returning to work?

If you have at least one year's service at the Qualifying Week and are unsure whether or not you will return to work following Maternity Leave, you are advised to choose "the deferred option" to avoid being overpaid. This option allows you to receive maternity pay as if you were terminating your employment (i.e. you would not receive 12 weeks at half pay). If you then decide to return to work you will receive any maternity pay due to you during the first three months following your return.

If you have less than one year's service at the Qualifying Week, and do not return to work, you will not be required to repay any maternity pay you have received.

13. What if you don't return to work after saying you will?

If you have less than one year's service at the qualifying date you will not be required to pay back any maternity pay that you have received. If you have more than 1 year's service at the qualifying date, you will be required to refund the 12 weeks half pay, if you did not defer payment.

If you are unable to return to work because you are not medically fit your absence will be covered by the sickness scheme in the normal way. You will need to provide a Fit Note if your absence continues beyond 7 days.

14. Fixed-term and temporary contracts

If you are on a fixed term or temporary contract, you will be entitled to receive maternity pay as detailed in Section 2 above.

15. Other leave

You will be allowed a reasonable amount of paid leave for antenatal care providing that you can produce either an appointment card or a certificate from a registered medical practitioner, midwife or health visitor confirming the pregnancy. Antenatal care can include not only medical examinations but also relaxation and parentcraft classes if prescribed by a doctor or midwife.

You are encouraged, wherever possible, to book appointments at the beginning or end of the day and to give sufficient notice of each scheduled appointment.

16. Increments, annual leave, Bank Holidays, allowances and pension

Increments: Increments will be awarded within your pay band subject to satisfactory appraisal. See Appraisal Scheme for further

information. Unless there are exceptional circumstances, your manager should ensure that a full performance review is carried out prior to you going on maternity leave.

Annual Leave: Annual leave entitlement is accrued on all 52 weeks maternity leave. Where possible you should try to take your remaining leave for the year before the date your maternity leave begins. However, if this is not practical, it may be possible to carry leave over from one annual leave year to the next in agreement with your manager.

When you return from maternity leave, you can request to take any annual leave that you have accrued in the new holiday year prior to the actual date of return. You can also add any days/hours which you have carried forward from the previous leave year at this time.

Annual leave entitlement will be based on the contracted hours of employment prior to a return from Maternity Leave. If you reduce/increase your hours when you return from maternity leave, annual leave accrued after this point will be calculated based on the new hours.

Bank Holidays: Bank Holidays are accrued on all 52 weeks maternity leave.

If you reduce/increase your hours when you return from maternity leave, your accrued Bank Holidays will be recalculated based on the new hours and added to the new annual leave entitlement.

Allowances: If you receive any contractual allowances (e.g. Frequent user car allowance, Standby), they will be included in the calculation of your maternity pay in respect of 6 weeks at 90% of pay and 12 weeks at half pay.

Pension: Pension rights and contributions will be dealt with in accordance with the provisions of the Local Government Pension Scheme. You will be required to make pension contributions during all paid maternity leave. You may wish to make contributions during your period of unpaid maternity leave. If this is the case, you will need to elect to pay these amounts within 30 days of your return from maternity leave. Please discuss payments with Payroll.

**Employment
Vacancies**

The Council advertise employment vacancies on our website, www.dacorum.gov.uk, and employees can sign up to receive email alerts from the website when vacancies arise.

17. Other information

In the very sad event of a stillbirth occurring from the 24th week of pregnancy, you will still qualify for maternity pay and leave entitlements.

You will still qualify for maternity pay and leave entitlements if the baby is born alive at any point during the pregnancy.

18. Day Nursery Care

DBC have negotiated with a national childcare company to provide nursery places at a discounted rate. Lime Grove Nursery is purpose built and situated adjacent to Dacorum Sportspace in Park Road Hemel Hempstead. It provides day care facilities for children from 6 weeks to pre-school age. Places are let on a commercial basis, but Council employees have first option, as places become vacant. If you would like to visit the nursery, or would like further information, you can call the nursery on 01442 236506.

For details of other benefits, please see Section 3 of the Employment Handbook

19. Child care vouchers

The Council operates a child care voucher scheme, which offers parents the opportunity to make significant tax and National Insurance savings. Further information is available from Computershare on:.

Email: parent@computershare.co.uk

Phone: 0845 002 1111

20. Who you need to liaise with?

In addition to notifying your manager about your intention to take maternity leave you will also need to liaise with HR regarding your maternity leave and pay. HR will administer your maternity leave and deal with the paperwork to ensure your maternity pay is processed.

21. What if I'm not entitled to receive Statutory Maternity Pay?

If you are not entitled to receive SMP (due to length of service or because you earn less than the lower limit for National Insurance contributions) Payroll will issue you with forms SMP1 and MA1 and will return your Maternity Certificate (MAT B1). The forms explain why maternity pay is not payable and should be taken to your local Jobcentre Plus office together with your Maternity Certificate (MAT B1). Jobcentre Plus will advise you if you are eligible for them to pay you Maternity Allowance.

If you have any problems or queries regarding the payment of SMP please contact Payroll on 01442 228283.

22. Parental leave

All employees, including temporary staff, with at least one year's continuous Local Government service are eligible for parental leave.

The right to parental leave lasts until the child reaches the age of five years, however, if the child is disabled (in receipt of disability living allowance) the right lasts until the child reaches the age of eighteen years.

If the child has been adopted, the right lasts until five years after placement for adoption or until he or she reaches the age of eighteen, whichever is the earliest.

For full details, please refer to the Parental Leave Policy.

23. Maternity support leave

Maternity Support Leave provides 5 days paid leave, to employees who are:-

- The child's father; or
- The mother's partner (including civic partner or same sex partner); or
- The 'nominated carer' of the expectant mother

The purpose of Maternity Support Leave is to help the mother at or around the time of the birth. Where there are extenuating circumstances, however, such as the baby being in special care, every consideration will be given to requests for taking leave at a later date.

This leave only applies if employees do not meet the criteria for Paternity Leave and therefore employees will only be entitled to either Paternity Leave or Maternity Support Leave and not both at the same time. For full details please refer to both the Paternity and the Special Leave policies.

You must follow the procedure below to qualify for maternity leave and pay.

1. Please notify your manager that you are expecting a baby and wish to take maternity leave as soon as possible and no later than the 15th week before your expected week of childbirth. Please see Flow chart in Appendix C for full details of the process.
2. Your manager will either contact HR or advise you to do so. You will be sent the Maternity Handbook, Maternity Notification form and Maternity Leave Intentions form. Please complete the Maternity Leave Notification form as soon as possible so that a risk assessment can be carried out by Health and Safety.
3. You may wish to discuss your entitlements and leave options with a member of HR. You will need to complete the Maternity Leave Intentions form no later than the 15th week before your EWC in order to qualify for maternity pay.
4. Once you have completed and returned the Maternity Leave Intentions form to HR we will send you a letter outlining the terms and conditions relating to the Maternity Scheme. A copy of this will be sent to your manager and Payroll.
5. You can work up to the date of your baby's birth as long as you are fit to do so. If, at a later time, you wish to change the starting date of your maternity absence you will need to give 28 days notice.
6. You will also be asked to provide HR with your Original MAT B1 Certificate. We will take a copy and the original will be passed to Payroll in order for them to make the appropriate arrangements to your pay.
7. It will be assumed that you will return at the end of AML, unless you notify us that you wish to return earlier. If this is the case, you must give a minimum of 3 months notice to return early from maternity leave. If you wish to consider flexible working arrangements upon your return, please advise your manager no later than 3 months prior to your maternity return date.
8. Please advise HR and your manager when you have given birth. We will write to you to remind you of your entitlements. You can carry out up to 10 Keeping In Touch days (KIT) during your period of leave, without affecting your maternity pay. These will be paid at your normal daily rate of pay. Please discuss these days directly with your manager.

Dacorum Borough Council
Maternity Leave Notification Form

Please complete this form and send to a member of HR. On receipt of the form, Health and Safety will be notified that you are expecting a baby in order that a risk assessment can be carried out. If you have any queries please call HR.

Please answer the following questions carefully (refer to Maternity Handbook if necessary)

N.B. Continuous service means service without a break. (A break is defined as 1 complete week including 2 weekends

1. Full name:
2. Job Title:
3. Correspondence address (usually your home):.....
4. Telephone number:
5. Are you employed on a temporary or permanent basis?
.....
6. Service Unit, Manager's name and telephone number:
.....
.....
7. I understand I am entitled to: (please tick appropriate box)
 - (a) Paid Maternity Leave at an enhanced corporate rate (I have at **least 1 year's continuous** service ending with the 15th week before the EWC).
 - (b) Paid Maternity Leave at Statutory Maternity Pay rates (I have **less than 1 year's continuous** service, but more than 26 weeks ending with the 15th week before the EWC).
 - (c) I have less than 26 weeks continuous service ending with the 15th week before the EWC/my average weekly earnings are less than the lower earning limit for National Insurance contributions. I may be entitled to claim Maternity Allowance.
8. Please tick appropriate box. Options a) and b) only apply if you are entitled to question 7. (a) above:
 - a) I wish to receive **half pay** as & when it is due.
I confirm that I intend to return to work for a minimum of 3 months.

b) I do not wish to receive 12 weeks at half pay, until I return to work.
(This is the “**Deferred**” option - see numbers 7, 9 & 10 of handbook)



9. Date continuous employment commenced:

a) With DACORUM BOROUGH COUNCIL:

.....

b) With Local Government:

.....

10. Expected date of baby’s birth:

11. Date you would like to start Maternity Leave (if known):

.....

MAT B1

You will be required to provide us with your original MAT B1 certificate, which can be obtained from your midwife or doctor (week 20 to 25), which will confirm your expected week of childbirth.

I understand that all the above information is correct:

Signed: Date:

Appendix B

Dacorum Borough Council
Maternity Leave Intentions Form

I am writing to confirm that I am expecting a baby. I have received my Maternity Handbook and I have met with a member of the HR team to discuss the provision of my leave. I have also undertaken a risk assessment with Health and Safety.

I understand that I am entitled to 39 weeks paid maternity leave and up to 13 weeks unpaid maternity leave (a total of 52 weeks leave).

My expected date of delivery is

The earliest I can start my period of leave is
(11 weeks before expected week of childbirth)

I will forward my MAT B1 as soon as I receive it.

Please see below my intentions: (ticked applicable)

I intend to start my Maternity Leave on

I have/have not * taken all annual leave for this leave year. *(Delete as applicable)

I wish to carry forward x days to the next leave year * (Delete as applicable)

- I intend to return to work at the end of my 26 weeks Ordinary Maternity Leave
- I intend to return to work at the end of my 39 weeks Paid Maternity
- I intend to return to work at the end of my 52 weeks Maternity Leave
(26 weeks Ordinary Maternity Leave plus 26 weeks Additional Maternity Leave)

Keeping in Touch

I understand that I may work up to 10 days (KIT) during my maternity leave without bringing it to an end. I also understand that I must not work for the first two weeks following the birth.

I will discuss with my manager the best way to keep in touch as I understand that I am entitled to attend training courses and receive information regarding my employment with the Council during my leave.

I understand that I must give a minimum 3 months notice to return before the end of my Maternity Leave. I also understand that if I wish to consider flexible working options, then I must also advise you no later than 3 months prior to the end of my Maternity Leave using the flexible working application process.

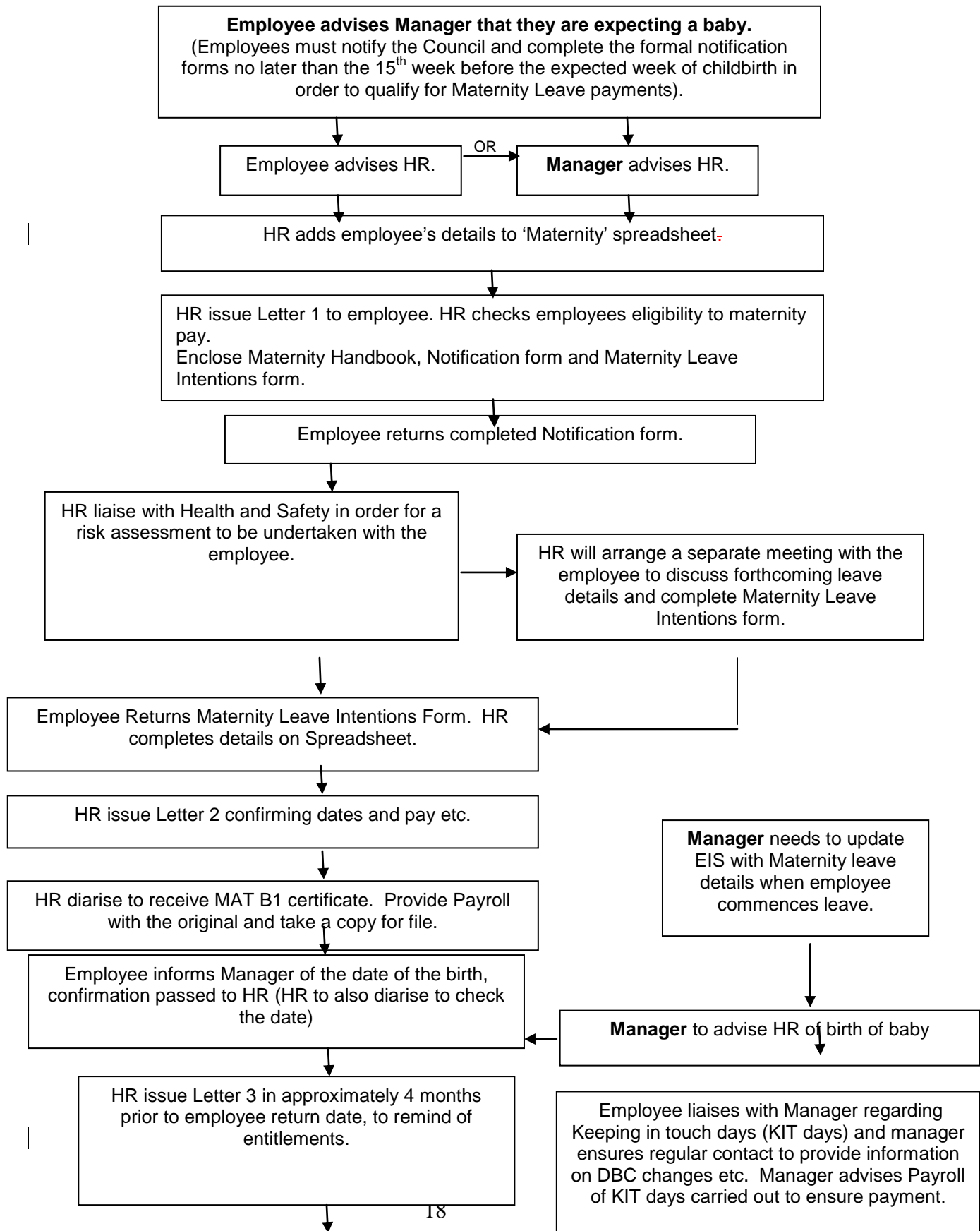
The Council advertise employment vacancies on our website, www.dacorum.gov.uk, and employees can sign up to receive email alerts from the website when vacancies arise.

Yours sincerely

Employee Name:

Date:

Maternity Flow Chart



If Employee wishes to make changes to return to work date see this policy for advice, or if employee requests flexible working, Flexible Working Policy to be followed. Manager to inform HR of any developments.



Manager to make necessary arrangements for employee's return to work, ie IT set up, update on work changes.



HR to confirm to Payroll employee's return to work date. Ensure EIS up to date with annual leave calculations.