



**Rotherham
Clinical Commissioning Group**

Title:	Maternity, Adoption, Maternity Support (Paternity) and Parental Leave Policy
Reference No:	009/HR
Owner:	Rotherham CCG
Author	Peter Smith
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Ratified and approved by:	Governing Body 4 th December 2014
Distribution:	All staff and GP members of the CCG.
Compliance:	Mandatory for all permanent and temporary employees of Rotherham CCG.
Equality & Diversity Statement:	In applying this policy, the Organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

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SUMMARY	The aim of this policy is to provide all the information required to comply with Rotherham CCG's (the CCG) maternity, adoption and parental leave regulations and to make employees and manager aware of what type of leave and pay an employee may be entitled to.
AUTHOR	Head of HR
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SECTION A – POLICY

1. PURPOSE

1.1 The aim of this policy is to provide all the information required to comply with the organisation's maternity, adoption and parental leave regulations and to make employees and managers aware of what type of leave and pay an employee may be entitled to.

1.2 The development of this policy:

- Ensures all employees are aware of maternity, adoption and parental leave and pay entitlements
- Ensures all employees understand the procedure for accessing maternity, adoption or parental leave
- Support managers with a procedure to follow
- Satisfies legislative requirements

2. SCOPE

2.1 This policy applies to those members of staff that are directly employed by the CCG and for whom the CCG has legal responsibility. For those staff covered by a letter of authority / honorary contract or work experience this policy is also applicable whilst undertaking duties on behalf of the CCG or working on the CCG premises and forms part of their arrangements with the CCG. The entitlements in the Policy depend on eligibility under legislation or NHS Terms and Conditions of Service. As part of good employment practice, agency workers are also required to abide by the CCG policies and procedures, as appropriate, to ensure their health, safety and welfare whilst undertaking work for the CCG.

3. EQUALITY STATEMENT

3.1 In applying this policy, the organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic. A single Equality Impact Assessment is used for all policies and procedures.

4. ACCOUNTABILITY

4.1 The Chief Officer is accountable for this policy.

5. IMPLEMENTATION AND MONITORING

5.1 The CCG Governing Body is responsible for formal approval and monitoring compliance with this policy. Following ratification the policy will be disseminated to staff via the CCG's intranet.

- 5.2 The policy and procedure will be reviewed periodically by Human Resources in conjunction with counter fraud, managers and Trade Union representatives where applicable. Where review is necessary due to legislative change, this will happen immediately.

6. RESPONSIBILITIES

- 6.1 Good working relations are vital for the organisation to operate successfully and provide services. There is a joint responsibility for management, trade unions and employees to accept the responsibility of working together on issues in good faith and with the shared intention of facilitating good working relations.

6.2 Employees

It is the responsibility of employees to ensure that:

- They understand their responsibilities in relation to this policy.

6.3 Line Managers

It is the responsibility of line managers to ensure that:

- They understand and adhere to their obligations in relation to this policy.
- They provide advice and information.
- They undertake a risk assessment for pregnant employees.
- They discuss breast feeding facilities and arrangements where required prior to the employee returning to work

6.4 Head of HR

The Head of HR is responsible for:

- Leading the development, implementation and review of the policy.
- Supporting managers and employees with queries relating to the policy and procedure.
- Ensuring the policy and procedure is reviewed and updated as required.

SECTION B – PROCEDURE

1. MATERNITY LEAVE

1.1. Eligibility

- 1.1.1 All pregnant employees, regardless of length of service, are entitled to take up to 26 weeks ordinary maternity leave and up to a further 26 weeks additional maternity leave and to resume work afterwards. The employee is therefore entitled to a total period of 52 weeks maternity leave.
- 1.1.2 Employees who take maternity leave have the right to return to work at any time during either the ordinary or additional maternity leave (except for the first two weeks from the day of childbirth), subject to the notification procedures set out in the following paragraphs.
- 1.1.3 Employees who have at least 26 weeks continuous service at the end of their qualifying week and are still employed during that week will qualify for statutory maternity pay.
- 1.1.4 Employees who have completed 12 months continuous service at the beginning of the 11th week before the expected week of childbirth (EWC) will be entitled to receive the enhanced element of maternity pay, over and above statutory maternity pay, if they are intending to return to work to the same or other NHS employer for at least three months.
- 1.1.5 Employees who do not meet the qualifying criteria above will be entitled to unpaid maternity leave and may be entitled to claim Maternity Allowance. Payroll will issue the form SMP1.
- 1.1.6 In cases of both unpaid and paid maternity leave the employee must continue to be employed until the beginning of the 15th week before the EWC and comply with the application procedure outlined in the following paragraphs.

1.2. Maternity Schemes

- 1.2.1. The choice of maternity schemes is detailed in the table below. The choice will be dependent upon:
- Length of continuous NHS service
 - The intention, or not, of the employee to return to work

Period of employment at 14 th week prior to EWC	Scheme
Less than 26 weeks	A
26 weeks and over	B/C/D

- 1.2.2. All of the above schemes incorporate the statutory rights to 52 weeks protection of all terms and conditions of employment with the exception of pay. Details of Schemes A, B, C, and D are contained in Appendix 1.

1.3. Procedure for Applying for Maternity Leave

- 1.3.1. In order to receive maternity provisions the employee is required to:

- Notify the manager of their intention to take the appropriate scheme by completing the application form (Appendix 2). The employee must submit their application by the 15th week before the EWC unless this is not reasonably practicable.
- Submit the Certificate of Childbirth (form MATB1) to their manager at least 28 days before the intended maternity leave date. Form MATB1 is issued to the employee by a GP/Midwife any time after the 20th week of pregnancy.
- Sign Section 2 of the application form if they intend to return to work which confirms their declaration of intent to return to work for a minimum of 3 months.

1.4. General Principles

1.4.1. Maternity leave usually begins 11 weeks before the EWC, however the employee may work beyond this point up to the EWC. If the employee is absent due to pregnancy related illness after the 4th week before the EWC, maternity leave/pay will automatically commence.

1.4.2. The HR team will keep a record of the dates related to the pregnancy and will confirm in writing the following:

- The entitlement to paid or unpaid maternity leave.
- The expected return to work date based on 52 weeks leave entitlement, unless an earlier date has been confirmed.
- The requirement to give 28 days' notice of the employee's intention to return to work.

1.4.3. The HR Service will confirm in writing the following:

- The entitlement to maternity pay and the elements of paid/unpaid/statutory elements.
- The maternity leave commencement date
- The average weekly wage (if applicable)
- Whether the employee has indicated that they are/are not returning to work after the birth of the baby.

1.4.4. Before going on maternity leave the manager and the employee should discuss and agree any voluntary arrangements for keeping in touch during the employees maternity leave including:

- Any voluntary arrangements that the employee may find helpful to keep the employee in touch with developments at work and, nearer the time, to facilitate the return to work.
- Keeping the employer in touch with any developments that may affect the intended date of return.

1.5. Keeping in Touch Days (KIT Days)

1.5.1. Employees can work during their maternity leave on a KIT day without bringing their maternity leave to end or losing their entitlement to statutory maternity pay. The employee may work a maximum of 10 KIT days during the maternity leave but not within the first 2 weeks after the birth of the baby.

- 1.5.2. The manager and employee must agree upon the days/dates to be worked.
- 1.5.3. There is no obligation for the CCG to offer such work or for the employee to accept it. A KIT day must be worked by mutual agreement.
- 1.5.4. The CCG will normally pay the employee at their usual hourly rate for work undertaken on KIT days. Any payment will be offset against any statutory maternity pay the employee is entitled to.
- 1.5.5. The manager and the employee should agree the type of work that the employee will undertake on a KIT day and this should reflect the employee's duties and responsibilities. Attendance on training courses and attendance at team meetings may be included.
- 1.5.6. The total duration of maternity leave will remain at 52 weeks regardless of whether the employee works a KIT day or days.
- 1.5.7. The CCG is entitled to have reasonable contact with the employee during the period of maternity leave and this is separate to KIT days.

1.6. Return to Work

- 1.6.1. If the employee chooses Scheme A they are required to give written notice of their return to work no later than 28 days before the intended return date.
- 1.6.2. If the employee chooses Scheme B it will be assumed that the employee intends to take the additional maternity leave unless otherwise notified. The 28 days' notice period will apply. Failure to provide this confirmation may result in disciplinary action.
- 1.6.3. An employee who intends to return to work at the end of the full maternity leave period will not be required to give any further notification of the return date although if the employee wishes to bring the return date forward, the 28 days' notice period will apply.
- 1.6.4. The employee will have the right to return to their job on no less favourable terms and conditions. If this is not practicable the employee will have the right to return to a job of the same pay band and to work of a similar responsibilities and status. Should the employee wish to return to work on reduced hours or to an alternative working pattern they should enter into discussions with their manager at the earliest opportunity and no later than 28 days before the return to work. The procedure set out in the Flexible Working Policy should be followed where requests are received.
- 1.6.5. If the employee does not comply with the requirement to return to work for a 3 month period following their return to work within 15 months from the beginning of their maternity leave, they will be liable to refund to the organisation the whole of any maternity payments made, less any SMP entitlement. Employment with another NHS employer will be accepted provided documentary evidence of this alternative employment is provided.

1.7. Risk Assessment

- 1.7.1. For health and safety reasons the employee should notify their manager as soon as they are aware of the pregnancy in order that the working environment can be

assessed to ensure that it does not pose a risk to the employees own health or that of the unborn baby. This equally applies to the employee throughout pregnancy or whilst breast feeding.

- 1.7.2. Where reasonably practicable alternative work will be provided if it is identified that the employee is incapable of carrying out all, or part of their duties, or where the unborn baby may be at risk. Where this is not possible, the employee will be excluded from work on medical grounds, on full pay.
- 1.7.3. This provision also applies if the employee has recently given birth and /or is breast feeding.
- 1.7.4. Appendix 3 provides an outline Risk Assessment template.

1.8. Annual Leave

- 1.8.1. All employees on maternity leave, whether paid or unpaid, will accrue an entitlement to annual leave and public holidays. Where unused annual leave and public holidays exceed normal provisions for carry over to the next leave year it may be beneficial to the CCG and employee for the employee to take the unused annual leave and public holidays before and/or after the agreed (paid and unpaid) maternity leave period. The amount of annual leave and public holidays to be taken in this way, or carried over, should be discussed and agreed between the employee and manager. Payment in lieu may be considered as an option where accrual of annual leave and public holidays exceeds normal carry over provisions

1.9. Payment and Pension Arrangements

- 1.9.1. Maternity payments will be paid in monthly intervals but the amount paid each month may vary as it is calculated on the basis of how many Sundays fall in each particular month.
- 1.9.2. If the employee is not eligible to receive SMP they will be notified by the payroll provider that they may be eligible for up to 39 weeks Maternity Allowance from their Social Security Office.
- 1.9.3. If an employee pays contributions to the NHS Pension Scheme and does not intend to return to work, they may, if they wish, continue to pay contributions during the statutory 39 weeks maternity leave period.
- 1.9.4. If the employee is a member of the NHS Pension Scheme and intends to return to work after maternity leave, they will be required to continue their contributions in order to cover the maternity leave period. These deductions can be either made during the leave or upon return to work. Advice should be sought from the payroll provider prior to maternity leave commencing.
- 1.9.5. If the employee is paying contributions towards study/learning and development the repayments will continue whilst the employee is receiving maternity pay. If the employee is on unpaid maternity leave the repayments will cease until the employee returns to work. If the employee does not return to work they will be required to repay the amount outstanding and in order to do this they will be sent an invoice.

1.10. Illness During Pregnancy/after the Maternity Leave Period

- 1.10.1. If an employee is ill during pregnancy before they begin their maternity leave sickness benefits will be received in accordance with the Sickness Absence Policy.
- 1.10.2. If the illness is associated with pregnancy and occurs before the fourth week prior to the EWC sickness benefits will be received in the usual manner. If the sickness absence continues beyond the fourth week prior to the EWC maternity leave/pay will commence. The employee will thereafter be treated in accordance with the maternity regulations.

1.11. Supplementary Information

1.11.1. Ante-Natal and Post Natal Care

- A pregnant employee has the right to paid time off work to attend antenatal appointments if her attendance has been recommended by a registered medical practitioner, midwife or nurse. There is also a legal entitlement for an expectant father or partner to attend up to two classes for a maximum of 6.5 hours for each antenatal appointment. Every attempt should be made to attend these outside of work where possible.
- Employees who have recently given birth should be granted paid time off work for post natal care.

1.11.2. 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 as if the baby had been born at full term.
- If the baby is born more than 11 weeks before it was expected, the maternity leave start date will be brought forward to the beginning of the actual week of childbirth. If an employee has worked during that week they will be paid for the work done and their maternity leave will begin from the first date of absence in the week of childbirth.
- If the baby is born prematurely and is in hospital, the employee may divide their maternity leave entitlement by a minimum of 2 weeks leave immediately after childbirth, returning to work and then taking the remainder of the entitlement after their baby is discharged from the hospital.

1.11.3. Still Birth and Miscarriages

- If the employee has a still birth after the 24th week of pregnancy, they will be entitled to maternity leave and pay as if the baby was born alive.
- Where an employee has a miscarriage before the 25th week of pregnancy, normal sickness absence provisions will apply.

1.11.4. Fixed Term Contracts

- If the employee is on a fixed term or training contract which will expire prior to the 11th week before the EWC and they have less than 12 months service, they are not obliged to pay any maternity pay, although the employee may be entitled to SMP.

- If the employee holds a contract which expires after the 11th week before the EWC, and the employee has the relevant service, the contract should be extended to enable the employee to receive maternity benefits. Advice should be sought from the Human Resources Team.

1.11.5. Incremental Date

- Maternity leave, whether paid or unpaid, will count as service for annual increments and for the purposes of any service qualification period for additional annual leave.

1.11.6. Deductions from Salary

- Where an unpaid period of maternity leave is involved, deductions from salary for trade unions and other items such as childcare vouchers or health insurance schemes will cease. The employee should contact the recipient of the deductions directly regarding payments during unpaid leave.

1.12. Post-natal care and breastfeeding mothers

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

1.12.2 The CCG is 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.

1.12.3 The CCG will consider requests for flexible working arrangements to support breastfeeding women at work.

1.12.4 The employee must inform their manager in writing that she is breast feeding or order that suitable arrangements can be made in advance of the employee returning to work.

2. ADOPTION LEAVE

2.1. Eligibility

2.1.1. To qualify for adoption leave the employee must be newly matched with the child for adoption by an approved adoption agency and have at least 26 weeks continuous service prior to the week in which the employee is notified of being matched with a child for adoption.

2.1.2. The employee will be required to provide a matching certificate from the adoption agency as evidence of their entitlement to adoption leave.

2.1.3. The employee must give notice of the date they wish to take adoption leave within 7 days of the date of which they are notified of having been matched with a child.

- 2.1.4. If both parent who wish to adopt are employees of the CCG they may split the entitlement to adoption leave, but jointly this must not exceed the total leave allowance.
- 2.1.5. If there is an established relationship with the child, such as fostering prior to the adoption, or where a step parent is adopting a partners child, local arrangements will be made with approval from the Operational Executive on the amount of leave and pay in addition to time off for official meetings.
- 2.1.6. If the placement is delayed but adoption leave has already commenced the employee should contact their line manager as normally the employee would not be able to recommence their adoption leave at a later date. It is therefore strongly advised that the employee identifies that the placement will commence prior to starting their adoption leave.
- 2.1.7. The application form contained in Appendix 4 should be completed.

2.2. Period of Leave

- 2.2.1. Employees who are adopting a child are entitled to 26 weeks ordinary adoption leave (OAL) and a further 26 weeks additional adoption leave (AAL), running from the end of the ordinary adoption leave. The period of leave should be taken in one block. The employee may commence their leave 14 days before the expected date of placement or any time up to and including the date of placement.
- 2.2.2. Employees are entitled to return to work after their period of both OAL and AAL. The provisions of paragraph 1.6.4. If an employee wishes to return to work before the end of the AAL they should give 28 days' notice in writing.

2.3. Payment During Adoption Leave

- 2.3.1. Employees who qualify for adoption leave are entitled to receive 39 weeks statutory adoption pay (SAP) or 90% of their average weekly earnings if this is less. To qualify for SAP the employee must also have average weekly earnings at or above the lower earnings limit for national insurance.
- 2.3.2. Employees with 12 months continuous NHS service ending with the week in which they are notified of being matched with a child by the adoption agency will be entitled to occupational adoption pay (OAP). OAP consists of the following:
- 8 weeks at full pay (less SAP)
 - 18 weeks at half pay (less SAP)
 - 13 weeks SAP.

2.4. Keeping in Touch (KIT) Days

- 2.4.1. Employees will be entitled to KIT days in accordance with paragraph 1.5.

3. MATERNITY SUPPORT (PATERNITY) LEAVE

- 3.1.1. Employees are entitled to 2 weeks of ordinary maternity support (paternity) leave which can be taken around the time of the birth or the placement of the child for adoption.

- 3.1.2. In addition, employees may be entitled to take up to 26 weeks of additional maternity support (paternity) leave if their partner has returned to work, the leave can be taken between 20 weeks and one year after the child is born or placed for adoption.
- 3.1.3. The application form for maternity support (paternity) leave is contained in Appendix 4. Where reasonably practicable employees should give 28 days' notice of their intention to take maternity support (paternity) leave.

3.2. Eligibility

- 3.2.1. Eligibility for the two weeks of occupational maternity support (paternity) pay will be 12 months' continuous service with one or more NHS employers at the beginning of the week in which the baby is due.
- 3.2.2. Employees who are not eligible for the two weeks of occupational maternity support (paternity) pay may still be entitled to statutory paternity pay subject to meeting the qualifying conditions. Details of the qualifying conditions can be found on the (<http://www.direct.gov.uk/en/employment/index.htm>)
- 3.2.3. To qualify for additional maternity support (paternity) leave the employee and their partner must first meet certain qualification criteria. Details of the qualifying conditions and the notification requirements can be found on the (<http://www.direct.gov.uk/en/employment/index.htm>)

3.3. Payment During Maternity Support (Paternity) Leave

- 3.3.1. There will be an entitlement to two weeks' occupational ordinary maternity support (paternity) pay. Full pay will be calculated on the basis of the average weekly earnings rules used for calculating occupational maternity pay entitlements. The employee will receive full pay less any statutory paternity pay receivable. Only one period of occupational maternity support (paternity) pay is ordinarily available when there is a multiple birth.
- 3.3.2. To qualify for statutory pay in the additional maternity support (paternity) leave period, the employee and their partner must first meet certain qualifying conditions. Details of the criteria and the notification requirements can be found on the (<http://www.direct.gov.uk/en/employment/index.htm>)

3.4. Keeping in Touch (KIT) Days

- 3.4.1. Employees will be entitled to KIT days in accordance with paragraph 1.5.

3.5. Return to Work

- 3.5.1. Employees who have taken additional maternity support (paternity) leave will have the right to return to the same job under their original contract and on no less favourable terms and conditions.

3.6. Ante natal leave

- 3.6.1. Reasonable paid time off to attend ante-natal classes will also be given.

4. PARENTAL LEAVE

4.1. Eligibility

4.1.1 Up to 18 weeks unpaid parental leave is available to employees with at least 12 months continuous NHS service who meet one of the eligibility criteria as follows:

- The employee is the parent of a child under 18 years of age
- The employee has adopted a child under the age of 18 (the right to parental leave lasts for a period of 5 years from the date of adoption or until the child's 18th birthday, whichever is the sooner)
- The employee has acquired formal parental responsibility for a child under five years of age

4.1.2. An employee who is the parent or adoptive parent of a child who has been awarded disability living allowance or personal independence payment is entitled to up to 18 weeks unpaid parental leave which can be taken up to the child's 18th birthday.

4.2. Conditions for Parental Leave

4.2.1. The minimum parental leave block is one week and leave must be taken on weekly blocks.

4.2.2. The employee must give at least 21 days' notice of their intention to take parental leave and must state the start and finish dates of the leave. The period of notice may be waived in exceptional circumstances.

4.3.3. Parental leave may be postponed by the organisation (other than where parental leave has been requested immediately after childbirth or placement for adoption) where it is considered that the leave would cause undue business disruption. Parental leave can only be postponed for a maximum period of 6 months from the original request. Where parental leave is postponed this must be confirmed in writing to the employee within 7 days after the employee's notice was given to the organisation.

4.3.4. The CCG may make enquiries from previous employers regarding the amount of parental leave an employee has taken in the past and also to seek a declaration from the employee about how much parental leave has been taken.

4.3.5. The CCG may also request proof from an employee of their eligibility to take parental leave such as the child's birth certificate or legal documents stating the employee has formal parental responsibility.

4.3.6. The application form for parental leave is contained in Appendix 4.

5. RIGHT OF APPEAL

5.1. Where an employee is dissatisfied with the outcome of their application for leave under this policy the matter should be raised in the first instance with the Line Manager. Where the employee remains dissatisfied the employee should raise the issue through the Grievance Policy.

6. Working Whilst on Maternity Leave, Adoption, Paternity and Parental Leave

7. 6.1 Employees must not undertake any secondary work whilst on maternity, adoption, paternity or parental leave without obtaining permission from Rotherham CCG. Doing so without permission may result in disciplinary action and liability for prosecution and civil recovery proceedings.

MATERNITY SCHEMES

SCHEME A

For those intending to return to work:

- The employee will receive 52 weeks unpaid leave with protection of all terms and conditions of employment, except pay.
- The employee may be eligible to receive Statutory Maternity Pay (SMP) or Maternity Allowance payable by the state.

For those not intending to return to work:

- Employment will be for a period of 52 weeks during which the employee's terms and conditions of employment, except pay, will be protected, e.g. annual leave.

SCHEME B

For those intending to return to work:

- 39 weeks enhanced maternity pay for employees with **12 months service** as follows:
 - 8 weeks full pay (SMP at 8 weeks already inclusive)
 - 18 weeks half pay (plus any SMP or Maternity Allowance including any dependents allowances receivable, providing the total receivable does not exceed full pay)
 - 13 weeks SMP or 90% of normal weekly earnings (whichever are the lower)
- 39 weeks maternity pay for employees with **26 weeks continuous service but less than 12 months service** as follows:
 - 6 weeks at 9/10^{ths} of full pay (inclusive of SMP)
 - 33 weeks SMP or 90% of normal weekly earnings (whichever is the lower).

In addition to paid maternity leave the employee is also entitled to a further 13 weeks unpaid additional maternity leave.

SCHEME C

For those not intending to return to work:

- The employee will receive 6 weeks at 90% of full pay (inclusive of SMP) plus a further 33 weeks SMP or 90% of normal weekly earnings (whichever is the lower)
- Terms and conditions of service, except pay, will be protected over the 52 weeks period.

SCHEME D

For those undecided about their intention to return to work:

- The employee will receive 6 weeks at 90% of full pay (inclusive of SMP) plus 33 weeks SMP or 90% of normal weekly earnings (whichever is the lower)
- An additional 13 weeks unpaid additional maternity leave
- If the employee returns to work for a minimum of 3 months they will receive the difference in payments between Scheme C and Scheme B.

APPLICATION FOR MATERNITY LEAVE AND/OR MATERNITY PAY

NAME:

EMPLOYEE NUMBER:

EXPECTED DATE OF CHILDBIRTH:

MATB1 Form: **ATTACHED/NOT ATTACHED** (Please delete as appropriate)
(Certificate of Childbirth)

Please complete Section 1 – if you do not intend to return to duty.

Please complete Section 2 – if you do intend/or are considering returning to duty.

Section 1: I do not intend to return to work and my last day of service will be:
.....

I **wish/do not wish** to continue to pay pension contributions during my 39 weeks statutory maternity leave period. (Please delete as appropriate).

SIGNED **DATE**.....

Section 2:

I apply for maternity leave and/or pay in accordance with * Scheme..... I intend to commence maternity leave on I agree to the conditions of service governing maternity leave and undertake to continue in the service of The Clinical Commissioning Group or another NHS employer for a minimum period of three months after the expiry of my leave.

I am aware that:

- If I intend to return to work earlier than anticipated I must give The Clinical Commissioning Group 28 days' notice, in writing. **Failure** to give confirmation could result in disciplinary action being taken.
- Should I fail to return to work for The Clinical Commissioning Group or another NHS employer, I shall be liable to refund the whole of the maternity pay received, less any Statutory Maternity Pay to which I am entitled or entitlement to payment under Scheme C.
- If I pay pensions contributions now and if I am subject to pension payments on my return to work, I shall be liable for payments during any **unpaid** period of maternity leave I might take.

- It is my responsibility to have read and understood the above policy and sought appropriate advice regarding my personal circumstances prior to deciding which scheme is appropriate.
- **I must not undertake any secondary work whilst on maternity leave without obtaining permission from Rotherham CCG. Doing so without permission may result in disciplinary action and I may be liable for prosecution and civil recovery proceedings.**

SIGNED: **DATE:**

* Please indicate whether you are taking Scheme A, B, C or D.

**CONFIDENTIAL
PREGNANT WORKERS RISK ASSESSMENT**

PLEASE RETURN THIS FORM TO YOUR MANAGER WITH A COPY TO HR DEPARTMENT WITH YOUR MAT B1 FORM (WHEN AVAILABLE)

Assessment No	Health and Safety Office Use
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Please print details clearly

Department:

Name of assessor:

Date:	Name of New/Expectant Mother
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Is this a multiple pregnancy	Gestation (weeks)	Expected Date of Confinement

	Yes	No	Date	Assessor
Has a general workplace assessment been carried out for this department?				

Please tick "YES" or "NO" and enter any comments in the space provided

	Yes	No	Comments
<p>COSHH Is the new/expectant mother likely to be exposed to any hazardous substances or biological agent? Is she up to date with her immunisation programme? (ask employee to check with GP and confirm back to you if they are likely to be exposed to any hazardous substances) Have specific COSHH assessments been carried out for her?</p> <p>MANUAL HANDLING Is the new/expectant mother likely to</p>			

<p>undertake any manual handling tasks? Have specific assessment(s) been carried out for her? Is any remedial action necessary? Has remedial action (if required) been carried out? Is lifting equipment available if required?</p> <p>VDU (Visual display) EQUIPMENT Does the new/expectant mother use VDU equipment? Has her workstation been assessed Have any problems been highlighted? If required, has remedial action been taken/initiated?</p> <p>PERSONAL PROTECTIVE EQUIPMENT (PPE) Is the new/expectant mother required to use/wear any personal protective equipment (does not include uniform) Has training been given to her on how to use/wear PPE correctly? Does she find PPE comfortable to wear/use? Has maternity uniform been ordered or obtained?</p> <p>MACHINERY/EQUIPMENT (any equipment excluding substances, structural items, VDU or private car) Is the new/expectant mother likely to use any machinery/equipment? Does any of the machinery/equipment used present a greater risk to her than to any other worker? Has she been trained/informed regarding the use/hazards of the equipment?</p> <p>DRIVERS Does she drive a vehicle as an integral part of her job? Is the vehicle driving position adjustable for driver comfort?</p> <p>ENVIRONMENT Does the department have sufficient welfare facilities? (e.g. toilets, washing facilities, drinking water) Is the temperature and ventilation generally</p>			
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<p>comfortable? Is lighting stable and sufficient? Is there sufficient space for workers? Is the area kept clean and tidy? Are the floors even and intact?</p> <p>OTHER (including security and working hours) This section is for the assessor to highlight any other risk within the workplace NOT already covered by the above sections (e.g. violence and aggression, working hours, pace or type of work) Have any other areas of concern been highlighted? (please explain) Has remedial action been initiated/taken – please explain</p>			
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Physical condition/Minor disorders condition/minor disorders

Please enter a brief statement describing general fitness/physical condition of the new/expectant mother at the time of assessment. For example is she suffering from any of the following; morning sickness, backache, fatigue or any other condition which could affect her well-being.

<p>Recommendations for Action</p>

Please ensure all signatures are obtained. Please file the above assessment with the employee's maternity leave papers etc., in their personal file and forward any concerns to the health and safety officer for further information/investigation.

Signature of new/expectant mother	Signature of Senior Manager
Date:	Date:
Signature of individual carrying out assessment:	Date:

APPLICATION FOR ADOPTION, MATERNITY SUPPORT (PATERNITY) AND PARENTAL LEAVE

Applicants must complete Section A and either Section B, C or D

Section A (to be completed by the Applicant)

Name:.....Employee Number:.....

I wish to apply for adoption leave/maternity support (paternity) leave/parental leave (please delete as appropriate). I understand that if I provide any false information in support of my request for paid/unpaid leave I may be subject to disciplinary proceedings, which may lead to disciplinary action, including dismissal. I, therefore, confirm that the leave requested below is in accordance with the reason stated.

Section B – Adoption Leave

I wish to apply for:

a) 26 weeks ordinary adoption leave

b) 26 weeks additional adoption leave

(please tick all that apply)

The dates applied for are:.....

I also agree to return to work for a minimum period of three months with The Clinical Commissioning Group or other NHS Employer. I also confirm that I meet the criteria outlined within the Maternity, Adoption, Maternity Support and Parental Leave Policy.

Signed by Employee: Date:

Section C – Maternity Support (Paternity) Leave

I wish to apply for weeks paid leave to be taken on the following dates and confirm that I meet the criteria outlined within the Maternity, Adoption, Maternity Support and Parental Leave Policy. I wish to apply for ordinary maternity support pay/statutory maternity support pay or unpaid leave (please delete as appropriate).

I understand that I must not undertake any secondary work whilst on Maternity Support (Paternity) Leave without obtaining permission from Rotherham CCG. Doing so without permission may result in disciplinary action and I may be liable for prosecution and civil recovery proceedings.

Signed by Employee: Date:

Section D – Parental Leave

I wish to apply for days/weeks unpaid parental leave (maximum of 18 weeks)

The dates applied for are:-

Signed by Employee:..... Date:.....

Section E – To be completed by the Line Manager

I confirm that Leave under Section

B-Adoption Leave..... Number of days/weeks

C-Paternity Leave..... Number of days/weeks

D-Parental Leave..... Number of days/weeks

has been approved/rejected. The reasons for rejecting the application are:-

.....
.....
.....

Signed (Manager):.....Date:.....

Copy to: HR for recording
 Personal File
 Payroll

Equality Impact Assessment

Title of policy or service:	Maternity, Adoption, Maternity Support (Paternity) and Parental and Carers Leave Policy	
Name and role of officer/s completing the assessment:	Head of HR	
Date of assessment:	April 2018	
Type of EIA completed:	Initial EIA 'Screening' <input checked="" type="checkbox"/> or 'Full' EIA process <input type="checkbox"/>	<i>(select one option - see page 4 for guidance)</i>

1. Outline	
<p>Give a brief summary of your policy or service</p> <ul style="list-style-type: none"> • Aims • Objectives • Links to other policies, including partners, national or regional 	<p>The aim of this policy is to provide all the information required to comply with the organisation's maternity, adoption, carers and parental leave regulations and to make employees and managers aware of what type of leave and pay an employee may be entitled to.</p>

Identifying impact:

- **Positive Impact:** will actively promote or improve equality of opportunity;
- **Neutral Impact:** where there are no notable consequences for any group;
- **Negative Impact:** negative or adverse impact causes disadvantage or exclusion. If such an impact is identified, the EIA should ensure, that as far as possible, it is either justified, eliminated, minimised or counter balanced by other measures. This may result in a 'full' EIA process.

2. Gathering of Information					
This is the core of the analysis; what information do you have that might <i>impact on protected groups, with consideration of the General Equality Duty.</i>					
(Please complete each area)	What key impact have you identified?			For impact identified (either positive or negative) give details below:	
	Positive Impact	Neutral impact	Negative impact	How does this impact and what action, if any, do you need to take to address these issues?	What difference will this make?
Human rights	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.
Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Positive impact as it provides for a wider range of carers to be involved in the early care of the child.	Promotes equality in the workplace.
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.

Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Positive impact ensuring staff of either sex are aware of their rights in relation to maternity as well as the recently established shared parental leave (SPL).	Promotes equality in the workplace.
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact, there is an agreed process in place for issues to be raised.	Promotes equality in the workplace.
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ensures that people are aware of their maternity rights under legislation.	Promotes equality in the workplace.
Marriage and civil partnership (only eliminating discrimination)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.
Other relevant groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.

HR Policies only:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Neutral impact.	Promotes equality in the workplace.
Part or Fixed term staff					

IMPORTANT NOTE: If any of the above results in 'negative' impact, a 'full' EIA which covers a more in depth analysis on areas/groups impacted must be considered and may need to be carried out.

Having detailed the actions you need to take please transfer them to onto the action plan below.

3. Action plan				
Issues/impact identified	Actions required	How will you measure impact/progress	Timescale	Officer responsible
No further actions required				

4. Monitoring, Review and Publication				
When will the proposal be reviewed and by whom?	Lead / Reviewing Officer:	Head of HR	Date of next Review:	July 2019

Once completed, this form **must** be emailed to the Equality Lead for sign off.

Equality Lead signature:	
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