



Maternity, paternity, shared parental and adoption leave information pack and policy guidelines

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1. Introduction

1.1 Congratulations on the forthcoming birth of your baby. Becoming a parent brings new needs, not only in health care and adjusting to the obvious changes at home, but also in relation to what happens at work.

1.2 This policy has been prepared to ease the process by answering some of the questions you may have about your entitlement to maternity leave/pay and the options open to you, both before and after the birth of your baby. The policy also contains some general information relating to your health during pregnancy, guidance on health and safety provisions, and your entitlement to certain state benefits.

1.3 The Improvement Service (IS) recognises that there is a very wide range of legislation governing family friendly leave and pay. The IS has a separate [Special Leave Policy](#). Most of the relevant legislation can be found consolidated into the Employment Rights Act 1996 or the Employment Relations Act 1999. However, the Employment Act 2002, the Work and Families Act 2006, the Children and Families Act 2014, and numerous regulations have also brought in some significant changes. <https://www.gov.uk> provides guidance and interactive tools on maternity, paternity, shared parental and adoption leave and pay which can be read in conjunction with this policy.

1.4 ACAS also produces guidance for employees and employers in supporting staff. The guidance can be found on the [ACAS website](#).

2. Antenatal care

2.1 Throughout your pregnancy you will have regular care, either at a hospital antenatal clinic, or with your own GP or community midwife. You have a legal right to reasonable time off work, with pay, for antenatal care. This applies to all pregnant women regardless of length of service or hours worked. At your first medical appointment, you should ask for confirmation that you are pregnant and an appointment card to show your manager when you need time off.

2.2 The partner or nominated carer of a pregnant employee is entitled to request unpaid time off work to accompany them to up to two antenatal appointments. Requests should be made to the partner/nominated carer's line manager.

2.3 Preparation for labour classes are held at hospitals, local clinics and health centres. Most of these classes will take place in the last three months of your pregnancy when you may have commenced maternity leave but if you are working later into your pregnancy you will also be granted reasonable time off work, with pay, to attend these classes.

3. Notification requirements

3.1 Maternity leave can commence no earlier than the beginning of the 11th week before the Expected Week of Childbirth (EWC) or from the date of childbirth if that is earlier.

3.2 Maternity leave and pay can commence on any day of the week.

3.3 An employee applying for maternity leave must submit a completed Maternity Notification Form (available on request from Business Support Team via hr@improvementservice.org.uk) by the first working day of the 15th week before their EWC, or as soon as is reasonably practicable.

3.4 Business Support will provide you with written confirmation of your entitlement to maternity leave and, if applicable, pay.

3.5 At least 3 weeks before the date maternity leave is due to commence, or as soon as is reasonably practicable, you must submit a certificate from a registered medical practitioner or certified midwife (MATB1) stating the expected week of childbirth.

3.6 If, due to a change in circumstances, maternity leave requires to commence early (for example childbirth occurs earlier than expected), you must advise your line manager of this in writing as soon as possible.

3.7 Please contact the Business Support Team for a copy of our Maternity Notification Form. You should complete and submit this form by the 15th week before the Expected Week of Childbirth.

3.8 Your MATB1 certificate should be submitted to your line manager not less than 21 days before you start your maternity leave. You should also indicate to your line manager the length of maternity leave you intend to take.

4. Maternity leave and pay entitlements

4.1 Pregnant employees are statutorily entitled to a period of maternity leave. The length of

maternity leave and entitlement to pay is determined by the employee's length of continuous and reckonable service.

4.2 It is compulsory for employees who have given birth to have a minimum of two weeks maternity leave commencing with the date of childbirth.

Less than 26 weeks continuous service

4.3 Pregnant employees who have less than 26 weeks continuous service at the beginning of the 15th week before their EWC and who satisfy the notification conditions contained in this procedure are entitled to:

- 26 weeks unpaid Ordinary Maternity Leave
- 26 weeks unpaid Additional Maternity Leave

At least 26 weeks continuous service

4.4 Pregnant employees who have at least 26 weeks continuous service at the beginning of the 15th week before their EWC and who satisfy the notification conditions contained in this procedure are entitled to 52 weeks maternity leave as follows:

- 39 weeks paid leave (26 weeks ordinary and 13 weeks additional maternity leave) as follows:
 - 6 weeks at 9/10th normal pay (inclusive of payments made by way of Statutory Maternity Pay (SMP) or Maternity Allowance (MA) as applicable)
 - 12 weeks half pay plus SMP or MA as applicable (the total payment will not exceed full pay);
 - 21 weeks SMP or MA as applicable; and
 - 13 weeks additional maternity leave, which is unpaid.

One year's reckonable service inclusive of at least 26 weeks continuous service

4.5 Pregnant employees who have one year's reckonable service at the beginning of the 11th week before their EWC (inclusive of at least 26 weeks continuous service at the beginning of the 15th week before their EWC) and who satisfy the notification conditions contained in this procedure are entitled to 63 weeks maternity leave as follows:

- 39 weeks paid maternity leave as detailed at paragraph 4.4 above; and
- 24 weeks additional maternity leave, which is unpaid.

The 63-week entitlement breaks down to a maximum of 11 weeks prior to the EWC and a maximum of 52 following the birth of the baby.

Qualification for 12 weeks half pay

4.6 In order to qualify for 12 weeks half pay the employee must provide written confirmation of their intention to return to work for a period of not less than 12 weeks following maternity leave. This is done by completing the Maternity Notification Form, which is issued by Business Support.

4.7 Pregnant employees who have indicated their intention to return to work for a period of at least 12 weeks following their maternity leave, and who subsequently decide not to return, must confirm their decision in writing to their line manager. They will be required to repay the period of 12 weeks half pay as the company may decide.

4.8 Pregnant employees who are unsure if they will return to work may elect to postpone payment of half pay until their return by completing the relevant section in the Maternity Notification Form.

5. Keeping in touch days

5.1 During maternity leave an employee is allowed up to 10 days at work with normal pay –known as “keeping in touch days” – without bringing the maternity leave period to an end. Normal pay will be inclusive of any SMP or Maternity Allowance payable to the employee.

5.2 These days do not require to be consecutive and can be used for training or any other activity that enables the employee to keep in touch with their place of employment.

5.3 An employee does not have a right to attend work during their maternity leave and the company has no right to require an employee to attend work

during their maternity leave. Therefore, a decision as to whether or not keeping in touch days will take place is a matter to be decided between an employee and their line manager.

6. Right to return to work

6.1 An employee has a statutory right to return to the job in which they are employed under their original contract of employment and on terms and conditions no less favourable than those that would have applied to them if they had not been absent.

6.2 However, where exceptional circumstances occur, i.e. where an organisational change necessitates an alteration to the employee's job and this change would have occurred irrespective of their absence on maternity leave, suitable alternative employment may be offered.

6.3 Alternative employment should be suitable to the employee, appropriate to the circumstances, the capacity and place of employment that applied prior to their absence on maternity leave. The terms and conditions of employment should not be less favourable than if the employee had been able to return to the job in which they were employed prior to their absence.

7. Return to work following maternity leave

7.1 An employee going on maternity leave will be formally advised in writing of the date on which they are expected to return to work if taking their full entitlement to maternity leave. The employee will be expected to return on this date unless they advise the company otherwise. When an employee wishes to return to work before this date they must provide at least 8 week's written notice

of the date they propose to return. If the appropriate notice is not given the company may postpone their return by up to 21 days to a date no later than the end of the additional maternity leave period.

Return to work when the employee has resigned

7.2 If an employee has resigned from their job due to pregnancy or childbirth, but the child does not live, they shall be entitled to return to work but without the right to return to the same post at the same grade and pay/salary as applied immediately prior to the resignation, unless the company determines that this is not practicable.

7.3 An employee shall not be entitled to return to employment with the IS in accordance with this paragraph unless:

- a suitable vacancy exists
- the employee submits in writing a doctor's statement that they are medically fit to return, if such a statement is requested
- the employee satisfies the notice period stated at 7.1 above

8. Annual leave and public holidays

Annual leave

8.1 Employees continue to accrue annual leave during periods of maternity leave.

8.2 Prior to commencement of maternity leave, employees are encouraged to use the proportion of annual leave they have already accrued. The leave accrued during maternity leave to the end of the year can be taken on their return to work.

Public holidays

8.3 Entitlement to public holidays will accrue for the duration of maternity leave.

9. Premature birth

9.1 Where a baby is born after 24 weeks of pregnancy, but before the commencement of maternity leave, the entitlement to maternity leave/pay and the right to return to work is unaffected. Maternity leave starts automatically from the day after childbirth.

9.2 The employee must, if reasonably practicable, inform their line manager of the date of childbirth within 28 days of the date of birth.

10. Stillbirth or death of the baby

10.1 In the event of a stillbirth or the death of the child before 24 weeks of pregnancy, the employee is entitled to sick leave/pay in accordance with our sick pay scheme.

10.2 Sickness absence following a still birth or the death of the child before 24 weeks of pregnancy will be treated as pregnancy related absence.

11. Qualification for Statutory Maternity Pay (SMP)

11.1 In order to qualify for SMP the employee must meet all of the conditions listed below:

- have been continuously employed by the IS for 26 weeks at the beginning of the 15th week before the EWC
- continue to be employed by the IS during all or part of the 15th week before the EWC
- have average weekly earnings at or above the lower earnings limit for the payment of National Insurance Contributions
- have complied with the notification requirements outlined in this policy.

11.2 Payment of SMP cannot start earlier than the 11th week before the EWC and is paid for a maximum of 39 weeks.

12. Maternity Allowance (MA)

12.1 Maternity Allowance (MA) is a social security benefit paid to employees who do not have the service to qualify for SMP, however they do satisfy the conditions relating to the payment of National Insurance Contributions through previous employment or self-employment.

13. Pension implications during leave

Occupational pensions

13.1 Employees who qualify for Occupational/Statutory Maternity Pay or Adoption Pay, and who are members of the Local Government Pension Scheme, are required to continue making pension contributions on that pay even if they do not intend to return to work. Although contributions are payable on the Maternity/Adoption Pay received, which may be less than full pay, all benefits will be based on full pay.

13.2 An employee can choose to pay pension contributions throughout their period of unpaid maternity/adoption leave, or on their return to work. These contributions will be based on the pay they were entitled to immediately before the start of the unpaid period.

13.3 Employees who are granted an extended period of unpaid special leave (excluding maternity & adoption leave), and who are members of the Local Government Pension Scheme, are required to continue making pension contributions for the first thirty days of absence. The company will also make pension contributions for these thirty days. Employees should, however, consult Lothian Pension Fund regarding the pension implications of an extended period of unpaid special leave.

13.4 Employees on an extended period of unpaid special leave who have chosen to opt out of the Local Government Pension Scheme and have taken out a personal pension should seek advice on the pension implications from their pension provider.

Statutory pensions and state benefits

13.5 Employees on an extended period of unpaid special leave and who participate fully in the State Earnings Related Pension Scheme (SERPS) should contact their local DSS office to ascertain whether their contributions can continue to be paid on their behalf by the Government during their period of extended unpaid leave.

13.6 Employees granted an extended period of special leave to care for a dependant relative should seek advice on what State benefits etc they may be entitled to. The Chief Executive has the discretion to grant reasonable paid time off work to enable such an employee to seek advice from appropriate support organisations and to access a telephone during working hours to enable them to discuss their position in private.

14. Pregnancy and health

14.1 The IS is committed to protecting the health, safety and welfare of its employees and a risk assessment of any potential risks for pregnant women will be carried out each trimester. However, your line manager will discuss your health and wellbeing during your pregnancy, along with any potential risks and if you are concerned about any potential risks in relation to your work while you are pregnant, you should mention this or contact your line manager who will seek further advice from Business Support.

15. Maternity support and paternity leave

Paternity leave

15.1 An IS employee whose wife, civil partner or partner gives birth to a child is entitled to two weeks paid paternity leave provided that he or she has 26 weeks continuous service by the 15th week before the EWC. Please request a Paternity Leave form from absence.reporting@improvementservice.org.uk.

15.2 Paternity leave can be taken as two separate blocks of one week within 52 weeks of the birth of the child.

15.3 Employees with less than 26 weeks continuous service wishing to take Statutory Paternity Leave must inform Business Support by the 15th week before the week in which the child is expected, where reasonably practicable, of their intention to take this leave. You must state in writing:

- the week in which the child is due
- whether you wish to take one or two weeks leave
- when you want the leave to start

15.4 You may alter the date on which your leave starts by giving 28 days written notice where this is reasonably practicable.

15.5 The IS acknowledges that the right to paid paternity leave is in addition to any unpaid parental leave rights. Unpaid parental leave rights can be requested as a portion of shared parental leave and four weeks unpaid parental leave. Employees seeking unpaid parental leave should discuss this as soon as possible and provide adequate written notice.

Maternity support leave

15.6 Maternity support leave may be requested by the spouse, partner, civil partner or nominated carer of an expectant mother. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.

15.7 Maternity support leave can be requested where the spouse, civil partner or partner of an expectant mother does not qualify for paid paternity leave.

15.8 Those who qualify for maternity support leave will be granted 1 week's leave with normal pay. This leave must be taken as a single block of one week at or around the time of the birth of the child. Requests for maternity support leave should be made in writing to your line manager.

16. Shared parental leave

16.1 Shared parental leave enables eligible employees to choose how to share time off work after their child is born or placed for adoption.

16.2 A pregnant employee must take a minimum of 2 weeks maternity leave following the birth of their child. If an employee is eligible and they or their partner end maternity or adoption leave and pay (or maternity allowance) early, then they can:

- take the remainder of the maternity/adoption leave (up to a maximum of 50 weeks) as shared parental leave

- take the remainder of the maternity/adoption pay (up to a maximum of 37 weeks) as statutory shared parental pay

16.3 Shared parental leave must be taken between the baby's birth and first birthday (or within 1 year of adoption).

Eligibility

16.4 For either parent to qualify for shared parental leave, one parent must be eligible for either:

- maternity leave or pay
- maternity allowance; or
- adoption leave or pay

16.5 The employee wishing to take shared parental leave must also:

- share responsibility for the care of the child
- have 26 weeks continuous service by the end of the 15th week before the due date (or placement date for adoption);
- remain employed while they take shared parental leave
- comply with notice/evidence requirements

16.6 The partner of the employee wishing to take shared parental leave must also:

- have worked for at least 26 weeks in the 66 weeks leading up to the expected week of childbirth; and
- have earned an average of at least £30 a week in any 13 of those weeks

Shared parental pay

16.7 Shared parental pay is equivalent to the lower rate of Statutory Maternity/Adoption Pay where this would normally be payable in accordance with the entitlements detailed in sections 4 and 17 and subject to the following exceptions:

- the first two weeks of Statutory Maternity/Adoption Pay are not transferrable
- shared parental leave does not attract the higher rate of statutory maternity/adoption pay payable during the first 6 weeks of maternity leave

- there is no occupational element to shared parental pay

16.8 To qualify for shared parental pay:

- an employee must have 26 weeks continuous service by the end of the 15th week before the due date (or placement date for adoption);
- an employee must have earned above the lower earnings limit in the eight weeks leading up to and including the 15th week before the expected week of childbirth; and
- the employee's partner must meet the employment and earnings test as detailed at paragraph 16.6 above.

17. Adoption leave

Notification requirements

17.1 The terms of the adoption provisions will apply where an employee has:

- been newly matched with a child by an approved adoption agency; and
- has at least 26 weeks continuous service prior to the week in which they are notified of being matched with a child for adoption.

17.2 An employee adopting a child from overseas must have official notification. Official notification is written notification, issued by or on behalf of the relevant domestic authority (Scottish Executive).

17.3 Requests for adoption leave and pay must be made on an Application for Adoption Leave and Pay form and submitted to the line manager within 7 days of the employee being notified by the adoption agency that they have been matched with a child for adoption, where this is reasonably practicable.

17.4 Application forms are available from Business Support Team via hr@improvementservice.org.uk.

17.5 Requests for adoption leave must also be accompanied by a matching certificate or letter from the adoption agency detailing the following:

- name and address of the adopter(s)
- name and address of the adoption agency
- the date the child is matched
- the date the child is placed.

17.6 Adopters who, as a result of the date of the child's placement being altered, need to change the date on which their adoption leave starts, must give 28 days' written notice, if reasonably practicable.

Adoption leave and pay

17.7 Where a couple jointly adopt a child or children, they must decide which partner will take leave under these provisions (the adopter) as adoption leave will only be granted to the adopter. The partner, however, may be entitled to Adoption Support Leave or Paternity Leave.

17.8 In respect of children adopted from within the UK, Adoption Leave must commence either:

- from the date of the child's placement; or
- from a fixed date of up to 14 days before the expected date of placement.

17.9 In respect of children adopted from out with the UK, Adoption Leave must commence either:

- from the date the child enters Great Britain; or
- from a date no later than 28 days after the date the child enters Great Britain.

17.10 The company will grant paid leave to enable the main prospective adopter to attend a maximum of five adoption appointments which may include court hearings, case conferences and other formal meetings. The secondary adopter will be entitled to take unpaid time off for up to two appointments. This entitlement is subject to reasonable notice being given and on production of evidence of the meetings etc.

17.11 In respect of children adopted from overseas Adoption Leave will not be granted to cover the period employees spend travelling overseas to arrange the adoption or visiting the child.

17.12 Where more than one child is placed as part of the same adoption arrangement only one period of leave and pay will be granted.

17.13 Adoption leave will not be granted in circumstances where the child is already living as a family member e.g. where the spouse/partner of a natural parent adopts their partner's child (or children).

17.14 Under circumstances where the adoption placement ends during the Adoption Leave period the adopter will be entitled to remain absent on Adoption Leave for up to 8 weeks after the end of the placement.

17.15 Entitlement to adoption leave and pay is determined by the employees' length of continuous service.

Less than 26 weeks continuous service

17.16 Employees who have less than 26 weeks continuous service prior to the week in which they are notified of being matched with a child for adoption will be entitled to:

- 26 weeks unpaid Ordinary Adoption Leave
- 26 weeks unpaid Additional Adoption Leave

At least 26 weeks continuous service

17.17 Employees who have at least 26 weeks continuous service prior to the week in which they are notified of being matched with a child for adoption will be entitled to:

- 52 weeks leave (26 weeks Ordinary and 26 weeks Additional adoption leave) as follows:
 - 6 weeks at 9/10th normal pay (inclusive of payments made by way of Statutory Adoption Pay (SAP))
 - 33 Weeks SAP or 90% of their weekly wage, whichever is the lower; and
 - 13 weeks unpaid

One year's reckonable service inclusive of at least 26 weeks continuous service

17.18 Employees who have at least 1 year's reckonable service, inclusive of 26 weeks continuous service prior to the week in which they are notified of being matched with a child for adoption, will be entitled to:

- 26 weeks Ordinary Adoption Leave paid as follows:
 - 6 weeks at 9/10th normal pay (inclusive of payments made by way of SAP if applicable)
 - 12 weeks half pay plus SAP or 90% of weekly wage, whichever is the lower (the total payment will not exceed full pay)
 - 8 weeks SAP or 90% of weekly wage, whichever is the lower; and
- 26 weeks Additional Adoption Leave paid as follows:
 - 13 weeks SAP or 90% of their weekly wage, whichever is the lower
 - 13 weeks unpaid

Qualification for 12 weeks half pay

17.20 In order to qualify for 12 weeks half pay the employee must provide written confirmation of their intention to return to work for a period of not less than 3 calendar months following adoption leave. This is done by completing the 'Application for Adoption Leave and Pay' form.

17.21 Employees who are unsure if they will return to work may elect to postpone payment of half pay until their return by completing the relevant section in the 'Application for Adoption Leave and Pay' form.

17.22 Employees who have indicated their intention to return to work for a period of at least 3 calendar months following their adoption leave, and subsequently decide not to return, must confirm their decision in writing to their line manager. They will be required to repay the period of 12 weeks half pay as the company may decide.

Qualification for Statutory Adoption Pay (SAP)

17.23 In order to qualify for SAP the employee must meet all of the conditions listed below:

- have been continuously employed by the IS for 26 weeks prior to the week in which they are notified of being matched with a child for adoption;
- continue to be employed by the IS during all or part of the week prior to being notified of being matched with a child for adoption
- have average weekly earnings at or above the lower earnings limit for the payment of National Insurance Contributions
- have complied with the notification requirements outlined in this policy.

17.24 Payment of SAP cannot start earlier than 14 days before the expected date of placement and is paid for a maximum of 39 weeks.

Contact during adoption leave

17.25 The company reserves the right to maintain reasonable contact with employees during adoption leave. This may be to discuss employees' plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

Keeping in touch days

17.26 During adoption leave an employee is allowed up to 10 days at work with normal pay

– known as “keeping in touch days” – without bringing the adoption leave period to an end. Normal pay will be inclusive of any SAP payable to the employee.

17.27 These days do not require to be consecutive and can be used for training or any other activity that enables the employee to keep in touch with their place of employment.

17.28 An employee does not have a right to attend work during adoption leave and, the company has no right to require an employee to attend work during adoption leave. Therefore a decision as to whether or not keeping in touch days will take place is a matter to be decided between an employee and their line manager.

Right to return to work

17.29 An employee has a statutory right to return to the job in which they were employed under their original contract of employment and on terms and conditions no less favourable than those that would have applied if they had not been absent.

17.30 Where exceptional circumstances occur, however, i.e. where an organisational change necessitates an alteration to the employee's job and this change would have occurred irrespective of their absence on adoption leave, suitable alternative employment may be offered.

17.31 Alternative employment should be suitable to the employee, appropriate to the circumstances, the capacity and place of employment that applied prior to their absence on adoption leave. The terms and conditions of employment should not be less favourable than if the employee had been able to return to the job in which they were employed prior to their absence.

Notice to return

17.32 An employee going on adoption leave will be formally advised in writing of the date on which they are expected to return to work if taking their full entitlement to adoption leave. The employee will be expected to return on this date unless they advise the company otherwise. When an employee wishes to return to work prior to this date they must provide at least 8 weeks' notice of the intended date of return. If the appropriate notice is not given the company may postpone their return to such a date as will give the company 8 weeks' notice provided this is not later than the maximum period of adoption leave.

18. Surrogacy leave

18.1 The terms of the surrogacy leave provisions will apply where an intended parent plans to obtain a parental order after receiving a child through a surrogacy arrangement

18.2 An application for a parental order can only be made after the child is six weeks old and before the child is six months old.

18.3 The intended parent should provide the company with a copy of the Parental Order when it is available. It is recognised that surrogacy leave may have commenced before the Parental Order is available.

18.4 The intended parent should provide the company with a copy of the MATB1 certificate which the birth mother obtains from their GP or midwife at around 26 weeks before the baby is due. The intended parent should provide the company with at least 28 days written notice of their intention to take surrogacy leave. A surrogacy leave notification form is available for this purpose.

Surrogacy leave and pay

18.5 Surrogacy leave may begin:

- from the date of the child's placement; or
- from a fixed date up to 14 days before the expected date of placement

18.6 The intended parent is entitled to up to 52 weeks leave regardless of service.

19. Common questions and answers

19.1 Will my rights to maternity pay/leave be affected if my baby is born early or late?

Your rights to maternity pay/leave will not be affected. However, you should inform your line manager and Business Support of the date of your baby's birth so that you are given confirmation of the date up to which you may remain absent.

19.2 What happens if I am absent on sick leave immediately prior to taking maternity leave?

Sick pay can be paid up to the date of maternity leave. However, if you are absent with a pregnancy related illness during the 4 weeks prior to your EWC sick pay cannot be paid. In such cases, your maternity leave will be deemed to have commenced from the first day of sickness.

19.3 What if sickness prevents me from returning to work at the end of my maternity leave?

Provided you submit a doctor's certificate, you will be treated as being on sick leave.

19.4 Will my maternity pay be taxed?

Yes, Income Tax and National Insurance Contributions will be deducted from your maternity pay as appropriate.

19.5 When can I start my maternity leave?

Maternity leave can start no earlier than the 11th week before the EWC. You may, if you wish, continue to work until the week the baby is born.

19.6 What deductions continue to be made in respect of my pension scheme contributions during maternity leave?

- You will continue to make pension contributions on your maternity pay, even if you do not intend to return to work. However, regarding your period of unpaid maternity leave, you can either:
 - elect to pay contributions during your unpaid period of leave by contacting Lothian Pension Fund directly
 - elect to pay the contributions over a 3, 6 or 12-month period on your return to work.
- You should record your decision on the relevant section in the Maternity Notification form.
- If you contribute to a personal pension, you should discuss this matter with the provider of your personal pension.

19.7 Do I need to inform my manager when I discover that I am pregnant?

For health & safety purposes it is in your best interest to provide your manager, at the earliest opportunity, with written notification that you are pregnant in order that a workplace risk assessment be carried out and any of the necessary health and safety provisions of the regulations implemented.

Your manager should regularly monitor and review any assessment made to take account of possible risks that may occur at different stages of your pregnancy.

For the notification requirements required for maternity leave and pay purposes please refer to point 3 of this policy.

19.8 Can I continue working as normal whilst I am pregnant?

Yes, a healthy expectant mother can generally do most of the jobs she did before she became pregnant. However, where an expectant mother works nights and this poses a specific work risk, if her GP or midwife provides her with a medical certificate stating she must not work nights, she has a right to be offered suitable alternative day work on the same terms and conditions. If this is not possible, she should be suspended from work on paid leave for as long as necessary to protect her health and/or that of her baby.

19.9 How will I know if my workplace/work activities pose a health and safety risk to me or my baby?

As mentioned above in point 14, the IS is committed to protecting the health, safety and welfare of its employees and an assessment of any potential risks for pregnant women will have been included in the general risk assessment process. However, following notification from you that you are pregnant or breastfeeding, your manager will carry out a risk assessment to identify possible risks and hazards in the workplace or from work activities. You will be advised of the outcome of the risk assessment and the measures put in place to protect you.

Your manager must regularly monitor and review any assessment made to consider possible risks that may occur at different stages of your pregnancy.

19.10 What happens if there remains a risk to health and safety?

Every effort should be made to adjust your working environment to suit your needs and requirements in terms of health and safety. If this is not practicable then you should be offered suitable alternative employment, on the same terms and conditions, on a temporary basis.

19.11 Will I be allowed to attend antenatal appointments during working hours?

Yes, pregnant employees are entitled to time off work with pay for antenatal care. Requests for time off must be submitted to your line manager and be supported by an appointment card.

19.12 Does the Improvement Service provide facilities for nursing mothers to express milk?

Yes, The IS will provide a private, healthy and safe environment for nursing mothers to express and store milk. Toilets are not regarded as suitable and should not be used for this purpose.

You should inform your manager, in writing, as early as possible that you plan to continue

breastfeeding when you return to work in order that a risk assessment can be carried out. The risk assessment will be specific to you, based on the initial assessment and any medical advice you provide from your GP or midwife.

20. Personal maternity checklist and maternity key dates

20.1 Entitlement to maternity leave is for a period of up to 52 weeks (63 weeks for those with over 1 year's continuous or reckonable service) and maternity leave can commence anytime between the 11th week before your Expected Week of Childbirth (EWC) right up to the week your baby is due. Information on the appropriate dates at which you have to notify the company of your intention to take maternity leave are contained in the checklist. Business Support will issue a copy of the checklist to you.

20.2 Please contact Business Support Team at hr@improvementservice.org.uk who will provide you with a Maternity Notification Form and a personal maternity checklist.

21. Glossary

21.1 Continuous service means continuous service with the IS and any public authority to which The Redundancy Payments (Continuity of Employment in Local Government, Etc.) (Modification) (Amendment) Order 2001 applies. If you have returned to local government service following a break for maternity reasons, and the break in service does not exceed eight years and does not include a period of employment for which you were paid, you will be entitled to have the previous service considered for maternity purposes. Otherwise, there must be no break whatsoever for service to be counted as 'continuous'.

21.2 Reckonable service is all previous aggregated service with the IS and any public authority to which The Redundancy Payments (Continuity of Employment in Local Government, Etc.) (Modification) (Amendment) Order 2001 applies.

21.3 Expected week of childbirth (EWC) - 'week' in this context means the period of seven days, beginning with midnight on Saturday/Sunday, in which birth is expected to take place. In all other contexts, such as in 'the eleventh week' before the expected week of childbirth, 'week' is defined as 7 days ending with a Saturday.

21.4 Qualifying week (for Statutory Maternity Pay) - is the 15th week before the week in which the maternity certificate indicates your baby is due.

21.5 SMP (Statutory Maternity Pay) is governed by the Maternity Allowance and Statutory Maternity Pay Regulations and is payable to women who have at least 26 weeks continuous service at the beginning of the qualifying week and whose average weekly earnings in the calculation period are above the lower earnings limit for National Insurance Contributions.

21.6 Childbirth means the live birth of a child, or a still birth after a pregnancy lasting at least 24 weeks.

21.7 Dependant (for the purposes of the policy on Leave for Family-Care purposes) - is a spouse, partner, child, parent or person living in the same household (excluding tenants, lodgers or boarders) or another person who relies on an employee for:

- assistance in the event of illness, injury or assault; or
- to plan for the provision of care in the event of illness or injury