 Kingston GP Chambers Kingston Training Hub Clinical Services Practice Support Services Kingston Education Centre	Maternity policy		Reviewed	July 2022
			Revised	Yes
	Adopted	2016	Next review	July 2023

Maternity policy

Kingston GP Chambers (KGPC) endeavours to ensure all women are given support and encouragement before, during, and on their return to work from maternity leave.

KGPC aims to ensure that the employee's duties are adequately covered during maternity leave and that an effective dialogue is implemented at all stages so that employees feel fully informed about their entitlements and the process to follow.

All employees taking maternity leave are covered by this policy, including those on part-time contracts.

Definitions

The following terms are used within this policy:

EWC: The expected week of childbirth is the week, beginning on the Sunday, during which the baby's birth is expected.

MATB1: The maternity certificate, or form, which is provided to confirm a pregnancy and confirm the expected week of childbirth

Qualifying week: The 15th week before the expected week of childbirth

Notification requirements

Employees must notify KGPC as soon as possible of their pregnancy to enable the organisation to ensure that, where appropriate, any reasonable steps are taken to safeguard the safety of the mother and their unborn child and that they are not subject to any unnecessary risks at work.

To qualify for maternity leave, KGPC requires employees to provide written notification by the qualifying week, or as soon as reasonably practicable after this, of the following information:

- their pregnancy
- their EWC, and
- the date they wish to start your ordinary maternity leave period, which can be any time from the 11th week before the EWC.

Employees should also give their MATB1 to the HR Manager. This is normally provided to expectant mothers at around the 20-week stage.

Once employees have notified the HR Manager of their intended start date of ordinary maternity leave, KGPC will confirm, in writing, the date that the employee is expected

to return to work after additional maternity leave has ended. This confirmation will be sent to the employee within 28 days of their notification.

An informal meeting will then be arranged with the HR Manager to discuss the employee entitlements and the organisational processes involved. The meeting will include discussions on the following points:

- the amount of leave the employee can take and the payment arrangements
- the information that KGPC will need from the employee to process their maternity leave
- time off for ante-natal appointments
- risk assessments to ensure the employee's role does not pose a risk to their, or their baby's, health and safety
- the employee's right to return after maternity leave to the same or a similar role
- the opportunity to request flexible working and how a request should be made.

In order to ensure good communication and a smooth transition in the time leading up to maternity leave, and during the leave itself, the employee will be informed of the arrangements for covering their work and also for remaining in contact whilst they are on leave. KGPC will also consult the employee on how to cover their workload during their leave and whether any temporary reporting arrangements need putting in place.

KGPC would like to keep its employees fully informed of any news or developments at work during their leave and will continue to send the employee updates and information on social events etc. KGPC will also keep employees informed of any recruitment exercises undertaken during their absence.

Health and safety

So that KGPC may assess any potential risk that an employee's role poses to their health and safety, and the health and safety of their baby, they must notify the HR Manager as soon as they are aware that they are pregnant. A Health and Safety Risk Assessment will be undertaken and action taken to eliminate any risk (see Appendix A for template).

This may include making adjustments to an employee's role or, if no adjustments can be identified that will reduce or remove the risk, the employee will be offered a suitable alternative role for the duration of their pregnancy. In the event that alternative work cannot be found, KGPC reserves the right to place an employee on suspension on full pay until they are no longer at risk. If necessary, where a risk remains, these arrangements will continue for a period of six months after the birth of the employee's child.

Employees should speak with the HR Manager immediately if they are worried about their own health and safety at any time.

Time off for ante-natal care

Employees are entitled to paid time off during normal working hours to receive ante-natal care. Ante-natal care can include medical examinations, relaxation classes and parent-craft classes as advised by a medical practitioner. Time off will be provided for any time spent travelling to and from these appointments, including any waiting time.

Other than for the first appointment, employees may be asked to provide an appointment card to the HR Manager to confirm the details of the appointment.

Employees will receive full pay for the time taken to attend these appointments.

Length of maternity leave

Subject to meeting the notification requirements set out above, employees are entitled to 52 weeks' maternity leave in total, broken down as follows:

- 26 weeks' ordinary maternity leave (OML), including a 2-week period of compulsory maternity leave
- 26 weeks' additional maternity leave (AML) that starts immediately after OML.

Unless an employee notifies KGPC that they wish to take a shorter period, KGPC will automatically assume they are taking your full entitlement to 52 weeks, and will write to them to confirm your expected return date.

During periods of OML and AML, employees remain entitled to receive their normal contractual terms and conditions of employment that you would have received had you not taken this leave, with the exception of remuneration. This will include contractual benefits, subject to the terms of these benefits.

Commencing maternity leave

Employees can start maternity leave at any time from the beginning of the 11th week before the EWC until the date of birth. Employees are required to inform KGPC of the date they intend to start leave; however, they may change this date so long as they provide at least 28 days' notice of this change. Any application for a date change should be made in writing to the HR Manager.

Compulsory maternity leave commences on the day after childbirth occurs. Its purpose is to ensure that new mothers have at least a two-week period of leave after the birth of their baby.

There are two incidences in which the maternity leave period is triggered automatically:

- Where childbirth occurs before the OML would otherwise commence. If this occurs, the employee should notify KGPC, in writing as soon as is reasonably practicable after the birth, of the date on which they gave birth. Their maternity leave period will begin automatically on the day following the date of the birth.

- Where the employee is absent from work, wholly or partly due to their pregnancy, after the beginning of the fourth week before the EWC. If this occurs, the employee should notify us, in writing as soon as is reasonably practicable, that their absence from work is wholly or partly due to their pregnancy and the start date of this absence. In these circumstances, KGPC may require that their maternity leave period begins on the day following the first day of such absence.

Once the employee has notified the HR Manager that their OML period has been triggered due to premature absence or premature childbirth, KGPC will confirm, in writing, the date that it expects the employee to return to work after the AML period has ended. This confirmation will be sent to the employee within 28 days of your notification.

Shared parental leave

Employees may be entitled to take shared parental leave and should refer to KGPC's shared parental leave policy for further information on entitlements, eligibility and notice requirements.

Maternity pay

Dependent upon an employee's length of service, they may be entitled to receive statutory maternity pay (SMP). If they do not qualify for such a payment, they may, dependent upon their circumstances, be eligible to receive state maternity allowance. In these circumstances, KGPC will provide the employee with the form SMP1 within seven days of determining that they do not qualify.

An employee will qualify for SMP if they meet the following criteria:

- they have been continuously employed by KGPC for at least 26 weeks by the qualifying week
- their average weekly earnings are not less than the lower earnings limit relevant for national insurance purposes
- they are still pregnant at the 11th week before the EWC or have given birth by that time; and
- they have complied with the relevant notification requirements.

The period for which SMP may be paid is called the maternity pay period. The maternity pay period may start at any time from the start of the 11th week before the EWC and can continue for up to 39 weeks, even if the employee does not intend to return to work.

Payment will be made at the rate of 90 per cent of the employee's average earnings for the first six weeks' of leave and then up to 33 weeks' at the Standard Rate of SMP or 90 per cent of their average weekly earnings (whichever is lower).

The employee's normal weekly earnings are calculated based on an average of their gross earnings for national insurance during the 'relevant period'. This will include, for

example, any payments relating to overtime, commission, and bonuses. The 'relevant period' is the period ending on the last normal pay day before the qualifying week and starting with the normal pay day which is at least eight weeks earlier. The exact calculation of weekly earnings will depend on whether the employee is paid monthly, weekly or at other intervals. Further advice on how the normal weekly earnings will be calculated can be obtained from the HR manager.

Where an employee's gross earnings are increased by a pay rise, and this increase takes effect from the start of the relevant period and before the end of the AML period, this increase will result in a recalculation of their SMP. As a result of this recalculation, the employee may be entitled to a retrospective increase or may subsequently qualify to receive SMP.

Keeping in touch (KIT) days

The employee may, by mutual agreement, work for up to 10 days during their maternity leave period (but not during the compulsory maternity leave period) without losing statutory payments for that week, or ending their entitlement to leave. Payment for KIT days will be discussed and agreed in advance of these being worked.

For this purpose any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the maternity leave period.

Stillbirth and miscarriage

If an employee experiences a miscarriage before 24 weeks of pregnancy, they will no longer be entitled to take maternity leave. It is anticipated that an employee may need some time off work in these circumstances and this will usually be taken as sick leave, during which KGPC's sickness absence policy will apply.

If an employee suffers a stillbirth after 24 weeks of pregnancy, their entitlement to maternity leave and pay will not be affected and they will still be able to take the time off, and receive pay, as planned. From 6 April 2020, parental bereavement leave is also available for employees who suffer a stillbirth.

Holidays

Employees will continue to accrue holidays whilst they are on maternity leave. As these holidays cannot be taken whilst they are on maternity leave, it is important for KGPC to discuss and agree the arrangements for the taking of these holidays.

Returning to work

If the employee returns to work at the end of their OML period, they are entitled to return to the same job, with the same terms and conditions, in which they were employed before their absence.

If they return to work after a period of AML, they are entitled to return to the same job in which they were employed before their absence. Where this is not reasonably

practicable, they will be entitled to return to a suitable and appropriate job on terms that are no less favourable.

If an employee is made redundant during maternity leave, they will be offered a suitable alternative role.

Unless they state otherwise, it will be automatically assumed that an employee will return to work at the end of their full 52 week leave period. So that KGPC may make effective plans for an employee's return, it would be appreciated if they would contact their manager shortly before their return. However, there is no obligation on an employee to do so unless they wish to change the date of their return, in which case they must give us eight weeks' notice.

If an employee qualifies for shared parental leave and wishes to return early from maternity leave for this purpose, they must also give KGPC eight weeks' notice. Further information this can be found in the shared parental leave policy.

Employees may be invited to attend an informal meeting with the HR Manager in order to discuss any arrangements regarding your return to work. This is likely to take place approximately two weeks before their return. The following points will be discussed at this meeting:

- any developments that have taken place at work
- any appropriate training to take place
- any flexible working arrangements which have been agreed.

If an employee decides that they do not wish to return to work after their maternity leave, they are required to give notice of their resignation. Their notice period to resign is set out in their contract of employment. Where an employee chooses to resign without returning to work, KGPC will require repayment of any contractual maternity pay in excess of their statutory entitlement received during maternity leave.

If an employee is unable to return on the agreed date due to sickness, they should inform the HR Manager immediately.

Flexible working


KGPC recognises that women returning from maternity leave may wish to reduce their working hours or undertake homeworking.

KGPC will make every effort to accommodate requests for part-time working, provided that an employee's duties can still be effectively carried out on such a basis. However, account must be taken of the needs of the business when assessing and granting any requests.

Any flexible working request should be made in line with the process set out in the flexible working policy.

Grievances related to maternity rights

KGPC's grievance procedure may be used in the event that an employee is dissatisfied with any decision made in respect of their maternity rights.

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Appendix A: Maternity Risk Assessment of new or expectant mothers

Name of new or expectant mother:			
Job role: (including typical tasks)		Department/location:	
Expected date of delivery: (expectant mothers)		Actual birth date: (new mothers only)	
Manager completing assessment:		Initial assessment date:	
Any health/wellbeing issues:			

Risk assessment for an expectant or new mother: Hazards and controls

Significant Hazard	Perceived Nature of Risk	Generic Control Measures	Residual Risk/Low Medium/High	Additional Control Measures	Managers Comments
Display Screen Equipment	Increased susceptibility to musculoskeletal disorders and deep vein thrombosis (DVT)	DSE assessment to be undertaken if not already in place. Workstation should provide adequate adjustment to allow for increase in abdominal size. Advice on posture to prevent musculoskeletal problems. Adjust working practices to avoid continuous sitting at workstation (risk of DVT)			
Slips, Trips & Falls	Increased risk of injury due to physical change and or hormonal changes	Maintain high standards of housekeeping in work area. Individual may have difficulty negotiating stairs during later stages of pregnancy			
Lifting and Carrying Loads	Musculoskeletal injury Weakening of the skeletal structure	Reduce amount of physical work associated with task. Physical tasks become more difficult to achieve as pregnancy progresses			

		Carrying heavy loads to be avoided			
Welfare	Access to toilets to protect against risk of infection and kidney disease	Provision of easy access to toilet facilities and more frequent breaks from work activity Consideration should be given to providing access to quiet area where the individual can rest as necessary			
Fatigue	Fatigue from prolonged standing or physical activity	Avoid long periods of time standing. Task modified to provide seating or more frequent rest periods			
Work Related Stress	Individual vulnerable to stress due to hormonal, psychological and physiological changes during pregnancy	Monitoring and reduction of risks in relation to work demands, relationships with colleagues / manager and requirements of the role.			
Temperature / Humidity	Lower tolerance to heat and humidity resulting in discomfort / faint	Temperature of the working environment to be suitably controlled. Individual may require access to fresh air for periods during the working day. Individual to			

		have ready access to fresh drinking water			
Out of Hours Working	Long working hours or shift work patterns can affect the health of pregnant women.	Allowance made for tiredness and nausea at early stages of pregnancy. Consult with occupational health and individual on modification to working hours / avoidance of night work			
Personal Safety	Violence or fear of violence can increase	If there is a perceived risk of violence or threat of violence / abuse consideration needs to be given to modifying the role to reduce the risk to the individual and or make provision for staff to be available should support be required			
Access / Egress	Mobility may be impaired during later stages of pregnancy	Seek to modify the individuals work task to avoid walking significant distances or traversing flights of steps.			
Working at Height	Loss of agility and or balance	Modify task to avoid aspects of working at height			

