**Maternity Leave FAQs**

1. **What maternity leave entitlement am I eligible for?**

**Occupational Maternity Pay (OMP)**

To be eligible for maternity pay under OMP provisions, you must:

* Have been employed within the NHS for a continuous 12 months by the 11th week before your Expected Week of Confinement/Child birth (EWC).
* Return to work within ELFT or another NHS organisation for a minimum of 3 months at the end of your maternity leave.

**Statutory Maternity Pay (SMP)**

To be eligible for maternity pay under SMP provisions:

* You must have been employed by ELFT for a continuous 26 weeks by the 15th week before EWC.
* SMP is paid for up to 39 weeks, usually as follows: The first 6 weeks: 90% of your average gross weekly earnings. The remaining 33 weeks: £156.66 or 90% of your average gross weekly earnings, whichever is lower (as of April 2022, subject to change).
1. **What maternity leave entitlements are Bank staff entitled to?**

Those registered on **Staff** **Bank** only **are not** entitled to OMP though may be entitled to SMP. Bank staff should contact the locality People Relations Officer to discuss further.

1. **Who should the expectant staff inform about their pregnancy?**
* Inform your line manager and complete a risk assessment (every trimester).
* Inform the People Relations Officer to meet and complete the maternity paperwork.
* Managers may refer the expectant staff to Occupational Health for further guidance on how to best support them in the workplace.
1. **How long is maternity Leave?**

Staff can take up to 52 weeks of maternity leave. The first 2 weeks of maternity leave is a compulsory period for the primary care giver.

1. **What forms should the expectant staff complete and provide?**
* Maternity Risk Assessment (appendix D) every trimester.
* MATB1 Form from the doctor/ Midwife.
* Maternity Notification Form (signed by staff member and line manager).
* Maternity Leave Application Form (signed with the People Relations Officer).
1. **What should an expectant staff member on a Fixed Term Contract (FTC) do in regard to their maternity leave entitlement?**
* FTC are usually extended up to 39 weeks to allow the staff member to access the maternity benefits.
* Expectant staff should discuss their FTC with their line manager and seek guidance from the locality People Relations Team.
1. **Who should the new parent inform about returning to payroll?**
* Inform line manager and People Relations Officer.
* 8 weeks written notice must be given prior to returning to work.
1. **What is the difference between return to payroll date and return to workplace date?**
* End date of maternity leave: the last day of your maternity leave.
* Return to payroll date: The day after the end of your maternity leave.
* Return to workplace date: This is your ‘physical’ return to work date and it could be after taking your accrued annual leave.
1. **Should the line manager complete a change form for the expectant staff member who is due to go on maternity leave?**

No, the People Relations Officer will complete the maternity paperwork.

1. **Should the line manager complete a change form for the new parent returning from maternity leave?**

No, The People Relations Officer will complete the Section 3 Form with the return to payroll date. The line manager must complete a change form **only** if there are changes to the employment terms e.g. change of working hours (refer to the Work-Life Balance Policy).

1. **Is there a timeframe to complete Keeping in Touch (KIT) days?**

Yes, KIT days must be undertaken by the 39th week as outlined in the Maternity/Adoption Leave Policy. KIT days must be agreed with the line manager. No clinical work can be undertaken during KIT days.

1. **How do I get paid for KIT days?**

Your line manager should complete a change form detailing the dates of the KIT days and the number of hours completed. Please note, working 3 hours on one KIT day will be considered as one KIT day and you will be paid for 3 hours.

1. **Can I work bank shifts outside of my ELFT contractual hours whilst on maternity leave?**

Yes, you can work bank shifts outside of your ELFT contractual hours provided that it is agreed by your line manager.

1. **Can I work bank shifts within my ELFT contractual hours whilst on maternity Leave?**

No, you cannot work bank shifts within your ELFT contractual hours whilst on maternity leave.

1. **Would I accrue annual leave and bank holidays whilst on maternity leave?**

Yes, you would accrue annual leave including bank holidays for the full maternity leave period (during paid and unpaid leave). Please liaise with your line manager on booking your accrued annual leave at the end of your maternity leave as per Annual and Special Leave policy.