



MATERNITY PROCEDURES

V1.0 November 2025

CONTENTS

Your Maternity Rights Guidelines

Introduction	2
Ante-Natal Care	2
Night Working	2
More Health Information	3
Maternity Leave	3
Statutory Maternity Pay	3
Sickness Trigger	4
What you need to do if you wish to take Maternity Leave	4/5
Keeping in Touch Days (KIT)	5
Contact During Maternity Leave	5
Return to Work	5
General Information	6
Maternity Allowance	6
Breastfeeding at Work	6/7
A Reminder of what ELCAP need from you	7
Useful Publications	7
Application Form	8

Abbreviations	
SML	Statutory Maternity Leave
OML	Ordinary Maternity Leave
AML	Additional Maternity Leave
SMP	Statutory Maternity Pay
KIT Days	Keeping in Touch Days
MAT B1 form	Maternity B1 form
MA	Maternity Allowance

YOUR MATERNITY RIGHTS GUIDELINES

INTRODUCTION

Congratulations on the forthcoming arrival of your baby. The procedures have been prepared to advise you of your statutory and occupational maternity entitlements.

Whilst the information is designed to be as comprehensive as possible the provisions relating to leave/pay are fairly complex and it is therefore important that if you are unsure about any areas regarding your maternity entitlements that you contact ELCAPs Finance Officer.

It is recognised that some women may not wish to announce their pregnancy in the early stages and you can be assured that these details will be treated confidentially. It is also important that your line manager is aware of your pregnancy to safeguard you in your working environment. A risk assessment will be carried out by your manager and if necessary, you will be transferred to support another individual for the duration of your pregnancy.

ANTE-NATAL CARE

Throughout your pregnancy, you should have regular ante-natal care, through a hospital clinic, your own GP or community midwife. You have the right to reasonable time off work, with pay, for this ante-natal care.

At your first appointment, you should ask for confirmation that you are pregnant and an appointment card to show your line manager when you need time off. You may be granted reasonable time off work for preparation for labour classes (normally in the last three months of pregnancy) and this should be arranged with your line manager.

NIGHT WORKING

Regulations governing the health and safety of pregnant women at work provide you with the right to be transferred from night work to daytime work on health and safety grounds. If your GP considers that it is necessary for you to transfer to daytime work, she/he will give you a medical certificate which you should give to your line manager.

MORE HEALTH INFORMATION

The NHS has an excellent book titled "Ready, Steady, Baby" which gives a complete guide to pregnancy, childbirth and the first few weeks with a baby. This book should be given to you free when you book into the hospital. You can also look at this information on-line at www.readysteadybaby.org.uk. The book is now available as a free smartphone app.

A very useful service which provides information about where to find help is available through your local health education/promotion unit or the **NHS Helpline Free phone: 0800 22 44 88** (all calls are free of charge 8am–10pm, 7 days).

MATERNITY LEAVE

All pregnant employees (regardless of length of service) are entitled to 52 weeks Statutory Maternity Leave (SML). This is made up of:

- Ordinary Maternity Leave (OML) – the first 26 weeks of maternity leave
- Additional Maternity Leave (AML) – the second 26 weeks of Maternity Leave.

STATUTORY MATERNITY PAY

Statutory Maternity Pay (SMP) means that it is your right to receive payments from the government if you fall within certain categories. You can choose the date you want your SMP to start however it cannot start before the 11th week the baby is due. However this date can be altered by the early birth of your baby. In order to receive statutory maternity pay your normal weekly earnings in the eight weeks ending with the fifteenth week before your expected date of confinement (the calculation period) must be at least at the lower earnings limit for SMP. Please refer to current guidelines from HMRC at <https://www.gov.uk/maternity-pay-leave/pay>

- Statutory Maternity Pay is paid for a 39 week period (if you qualify). Please also refer to HMRC website for current SMP rates at <https://www.gov.uk/maternity-pay-leave/pay>.

Here is a table to help you understand Statutory Maternity Pay

Maternity Leave (statutory right)	Regardless of length of service	<ul style="list-style-type: none">▪ 52 weeks unpaid leave
Statutory Maternity Pay (SMP) and Leave	26 weeks continuous service by 15 th week before Expected Week of Confinement (EWC)	<ul style="list-style-type: none">▪ Weeks 1-6 = 6 weeks at 90% average weekly earnings▪ Weeks 7-39 = 39 weeks at statutory rate* or 90% of average weekly earnings, whichever is lower▪ Week 40 = a further 13 weeks entitlement to unpaid leave

**subject to review yearly by the government*

SICKNESS TRIGGER

Your maternity leave will start automatically if you are absent from work for a pregnancy related illness during the four weeks before the start of your EWC, regardless of when you have said you actually want your maternity leave to start. This also includes the early birth of your baby. In these circumstances, your leave begins the day after your pregnancy related absence occurs or on the day after the baby is born.

If you are off work in the four weeks before the start of your EWC and if the illness is not connected with your pregnancy your maternity leave is not triggered.

WHAT YOU NEED TO DO IF YOU WISH TO TAKE MATERNITY LEAVE

Notification

You must inform your line manager in writing (with a copy to the Finance Officers) that you wish to take maternity leave by the 15th week before your expected week of confinement (EWC) – the week your baby is due, unless this is not reasonably practicable, i.e. your baby is born early. You need to tell your manager:

- That you are pregnant (MatB1 form)
- The week your baby is expected to be born (EWC) (MatB1 form)
- When you want your maternity leave to start (ELCAP's Maternity Leave Application form – see page 9)

You can change the date on when you want your maternity leave to start however you will need to give ELCAP 28 days' notice in advance (in writing). If you are unable to tell us what you want in time, you will need to discuss this with your line manager.

On receiving notification of your written request for maternity leave, the Finance Officers will write to you to confirm the day you wish to commence your Maternity Leave and the expected date of return.

Certification

In order to establish your entitlement to maternity leave, you must submit a maternity certificate (MatB1 form) which you will receive from your GP stating the expected week of childbirth (EWC).

Commencement of Maternity Leave

Maternity leave commences no earlier than the beginning of the 11th week before your EWC unless your baby is born prior to this. Maternity leave can begin on any day of the week.

Although you can start your maternity leave from the beginning of the 11th week before your EWC, you are also entitled to work right up to the week of childbirth, if you wish (subject to risk assessment).

Under the Maternity Leave Regulations, you must take two weeks compulsory maternity leave after the birth of your child.

Date of Birth

You should let the Finance Officers know the date your baby is born.

Employees who contribute to the Lothian Pension Fund

You continue to pay contributions to your pension in the first 39 weeks of your maternity leave. The amount you pay is a percentage of your statutory and occupational pay (as applicable). If you choose to take the additional unpaid maternity leave you will not be contributing to your pension for a maximum of 13 weeks. You can choose to pay contributions to cover the unpaid period and if you wish to do so you should contact the Finance Officers on your return to work. The Finance Officers will tell you, within the first 30 days of your return to work what you will be required to pay. You can also elect to make this decision after the 30 days have elapsed but if you do so the costs fall wholly on you, e.g. ELCAP will not be required to pay the employer's contribution for this period and you will pay both employee and employer contributions.

KEEPING IN TOUCH DAYS

KIT days allow you to work under your contract of service without losing statutory maternity pay and without bringing your maternity leave to an end. They are designed to help your eventual return to work and make it easier for you to keep in touch with your line manager; your colleagues and the individual(s) you support. You are entitled to 10 KIT days, regardless of how long you actually take as Maternity Leave. KIT days are paid days at work and can be taken at any time during your maternity leave other than the two weeks after the baby is born. Your manager will record this on the rota as a 'KIT' day under relief.

You will need to agree with your line manager what you actually do on these KIT days. For example, it might be useful to attend team training days or other specified training or team meetings. It is important to remember that KIT days must be by agreement. There is no right for your manager to demand you to take these days and there is no right for you to use a KIT day without your manager's agreement. The days can be used singly or in blocks by agreement.

CONTACT DURING MATERNITY LEAVE

Your line manager, the Finance Officers or you have the right to make reasonable contact during your maternity leave

RETURN TO WORK

You are not required to give notification to ELCAP on your return to work at the end of your full maternity leave entitlement (i.e. 12 months) unless you intend to return earlier.

If you wish to return to work before the end of your maternity leave, you will need to give ELCAP eight weeks' notice of the date you wish to return (you should notify both your line manager and the Finance Officers).

GENERAL INFORMATION

Casual Support Practitioner

If you are a member of the casual Support Practitioner staff, you cannot work any shifts whilst on paid maternity leave. You can work on a casual basis once your paid maternity leave ends.

Full time to Part time

If you wish to change your hours from full time to part time, you can request this with your line manager (well in advance). This must be done using ELCAP's Flexible Working Policy and associated application. Your line manager will try to accommodate this request as long as it does not affect the needs of the individual(s) you normally support. Where possible part time working and job sharing will be permitted unless it is not practicable to do so. Your holiday entitlement for the period you are on maternity leave will be calculated at your full time rate.

Contractual benefits/entitlements

You will accrue entitlement to all contractual benefits (e.g. annual leave and public holidays) except remuneration. Equally while you are on maternity leave, you will be required to adhere to the terms and conditions of your contract (e.g. confidentiality).

You should try to take any accrued annual leave before going off on maternity or add them on at the end of your maternity leave. You can only take the annual leave you have accrued up to the date your maternity leave ends. You should discuss this in advance with your line manager.

MATERNITY ALLOWANCE

If you do not qualify for SMP, you may be entitled to Maternity Allowance (MA), paid by the Benefits Agency, of up to 39 weeks. Please refer to <https://www.gov.uk/maternity-allowance/eligibility> to check for eligibility. ELCAP's Finance Officers will give you a completed SMP1 form stating that you are not entitled to SMP and why and return your MAT B1 form if you have submitted this. You may then be able to claim Maternity Allowance and you should contact your local Jobcentre Plus office.

BREASTFEEDING AT WORK

Under the Workplace Regulations, ELCAP is required to provide suitable facilities for women who are breastfeeding. If you want to breastfeed while at work, you must tell your manager, in writing, in advance, in order for preparations to be made.

You have a number of options with regard to breastfeeding:

- arrange for childcare close to work, so that you can breastfeed (subject to the needs of the individual(s) you are supporting)
- express milk (taking milk from the breast by hand or using a pump) so that someone else can feed your baby while you are at work; or
- request a change to your working hours and your manager will endeavor to find a suitable shift pattern however it depends on the needs of the individual(s) you support.

Due to the nature of the individuals you support, some of the above options may be more suitable than others.

A useful document can be found on-line

<http://www.nhs.uk/Planners/breastfeeding/Documents/breastfeedingandwork%5B1%5D.pdf>

WHAT ELCAP NEED FROM YOU

A Reminder of What ELCAP Need From You

1. Written notice by 15 th week of your expected week of confinement	
2. MATB1 Maternity Certificate	
3. ELCAP's Maternity Leave Application Form	
4. An email to the Finance Officer - Payroll@elcap.org to say the date your baby was born	
5. Written confirmation if you are coming back earlier than expected	
6. Written request to breastfeed/express milk at work	

A reminder:

It is your responsibility to provide ELCAP with the written evidence of your pregnancy.

USEFUL PUBLICATIONS

There are a number of publications which are available from official government websites. Log on to:

www.direct.gov.uk

www.dwp.gov.uk

www.businesslink.gov.uk/workandfamilies

Maternity Leave Application Form

[This form must be submitted by the 15th week of the Expected Week of Confinement unless this is not reasonably practicable.]

Please read the Maternity Procedures before completing this form

To be completed by the member of staff:

Name:

Address & Post code:

Hours Per week

Date Commenced in Post:

Expected Date of Confinement:

Proposed date Maternity leave will begin

We will record your return date as 12 months from the date your maternity leave begins.

Please forward a MAT B1 form to the Finance Officers as soon as you receive it.