



Maternity Policy

Having a new child is an important and exciting time. SKDC is committed to supporting employees through their pregnancy, maternity leave and return to work.

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Relevant forms and letters:

- [Notification of request to take maternity leave form](#)
- [Pregnancy risk assessment](#)
- [KIT day record form](#)

Related policies:

- [Paternity Policy](#)
- [Shared Parental Leave Policy](#)
- [Flexible Working Policy](#)

If you have any questions about this policy or require any further support, please contact the HR team by emailing hr@southkesteven.gov.uk

For independent support, our Employee Assistant Support service offer a completely confidential helpline for employees. Call 0800 716 017 to receive support for mental health, legal signposting, practical help, manager coaching and much more.

1. Policy Statement

The Council recognises the importance of creating a positive and inclusive environment for expectant and new parents. This policy sets out the rights, responsibilities and support available to employees before, during and after their maternity leave. Our approach aims to ensure legal compliance, promote wellbeing and enable a smooth transition through each stage of maternity.

2. Scope

This policy applies to all employees of South Kesteven District Council, regardless of length of service. Employees on fixed-term or temporary contracts are covered by this policy for the duration of their contract.

The policy does not apply to casual workers or agency staff but these workers may be eligible for Statutory Maternity Pay (SMP) or Maternity Allowance depending on their circumstances. Employees are encouraged to speak to HR for more information.

This policy is applicable to all pregnant employees, including those who are acting as surrogates and intending to give birth as part of a surrogacy arrangement. It outlines the entitlements and support available during pregnancy and maternity leave. This policy is supported by similar guidance:

- Paternity Leave Policy
- Shared Parental Leave Policy
- Adoption Leave Policy

3. Guiding Principles

This policy is based on the following guiding principles:

- SKDC aim to support the holistic wellbeing of our employees and acknowledge the significance of family life.
- Pregnant employees will be supported and not subjected to a disadvantage or unfair treatment.
- We recognise and value the diversity of our workforce and the different family structures and needs of our employees
- We aim to facilitate a smooth transition for our employees who return to work after maternity leave and to provide them with the necessary support and resources.
- Managers and HR will ensure confidentiality and provide advice and guidance throughout the maternity process.
- Health, safety and wellbeing of pregnant employees will be prioritised through risk assessments and appropriate adjustments.

4. Maternity Leave Procedure

Notification of pregnancy

It is important employees follow the steps below to notify the Council of their pregnancy. Not doing this may affect eligibility for maternity leave or pay, or the ability to start or end maternity leave as planned.

- Employees are encouraged to tell their manager about their pregnancy as soon as practical, and no later than the end of the 15th weeks before the expected week of childbirth.

- The employee will receive a MATB1 form from their doctor or midwife (usually issued around the 20-week scan). This form should be given to the manager as soon as possible and a copy forwarded to HR. It serves as confirmation of the pregnancy and is required to process Statutory Maternity Pay.
- The employee should agree with their manager on the intended start and end dates of their maternity leave. Maternity leave can start at any point from the beginning of the 11th week before the expected week of childbirth. The latest maternity leave can begin is the day after the child's birth.
- Once dates have been agreed, the employee should complete the Application for Maternity Leave Form, have it signed by their manager and forward it to HR.
- If the employee wishes to change their agreed return date, they should inform their manager in writing at least 28 days before the intended return. If they wish to return earlier and do not give the required notice, the Council may delay their return but not beyond the original return date.
- If the employee holds more than one role with South Kesteven District Council, maternity leave dates must be the same for each role. Both managers should be informed, although the process will typically be coordinated by the primary manager (the one overseeing the role with the most contracted hours). The primary manager will liaise with any secondary managers as required.
- If the employee is off work due to a pregnancy-related illness in the four weeks before the expected week of childbirth, maternity leave and pay will begin automatically from the day after the first day of absence.
- If the employee is absent due to illness that is unrelated to pregnancy, the Council's standard sickness absence procedures, as outlined in the Attendance Policy, will apply.

5. Antenatal Appointments

Employees are entitled to take reasonable paid time off work to attend antenatal appointments recommended by a doctor, registered midwife or registered health visitor. The employee should inform their manager of appointment times as early as possible.

6. Maternity Leave

Employees can take up to 52 weeks of maternity leave, regardless of their length of service or number of contracted hours. This entitlement also applies to surrogate birth parents.

A minimum of two weeks' leave must be taken after the birth of the baby (known as 'compulsory maternity leave'), but beyond that, the amount of leave taken is up to the employee.

7. Maternity Pay

The Council offers Enhanced Maternity Pay (EMP)* for employees that qualify for [Statutory Maternity Pay \(SMP\)](#). To read the eligibility for SMP please see the Government guidance [HERE](#).

The following table outlines the level of Enhanced Maternity Pay (EMP) an employee is entitled to receive:

Weeks 1 - 6	Weeks 7 - 18	Weeks 19 - 39	Weeks 40 - 52
90% of your average weekly earnings	Half pay, in addition to SMP	SMP or 90% of your average weekly earnings (whichever is lower)	These weeks will be unpaid

Employees are required to repay the EMP if they do not return to work after maternity leave or if they give notice to leave within the first three months of their return to work (this requirement may be varied at the discretion SKDC).

Employees with less than 26 weeks service may be eligible for [Maternity Allowance](#) instead of SMP.

Enhanced Maternity Pay and Statutory Maternity Pay will be paid through our normal monthly pay run.

The Qualifying Week

To calculate the qualifying week, use a calendar to count 15 weeks back from the week the employee is due to have their baby. The maternity calculator at Gov.uk can also be used - [GOV.UK](#)

8. Neonatal Care Leave and Pay

Employees are entitled to neonatal care leave and pay if their baby requires neonatal care. This applies if the baby is admitted to a neonatal care unit (such as a neonatal intensive care unit or special care baby unit) for 7 continuous days or more within the first 28 days of life. The entitlement is for up to 12 weeks of paid leave in addition to other family related leave entitlements, such as maternity, paternity or shared parental leave. The length of neonatal leave is based on how long the baby receives neonatal care. Neonatal care leave must be taken within 68 weeks from the date of the child's birth.

8.1 Neonatal Pay

To receive statutory neonatal pay, the employee must have:

- At least 26 weeks of continuous service with the Council by the end of the qualifying week (15th week before the baby's due date – see section 7 above), and
- Earn at least the lower earnings limit for National Insurance contributions.

Neonatal care pay is up to 12 weeks payable at the 'Statutory Neonatal Care Pay' (SNCP) rate set by the Government for the relevant tax year (or at 90% of average weekly earnings if earnings are less than the SNCP rate).

Employees are not required to repay any statutory payments if they do not return to work.

8.2 Taking Neonatal Care Leave

The leave can be taken immediately following maternity leave (or paternity/shared parental leave) or at another appropriate time during the neonatal care period. Employees should speak to their manager to confirm when they would like the neonatal care leave to commence.

8.3 Support and Flexibility

The Council recognises the stress and challenges of having a baby in neonatal care and is committed to supporting affected employees with compassion and flexibility. Employees are encouraged to speak with their manager or HR to discuss their entitlements and any additional support needs.

9. Pregnancy loss

Pregnancy loss at any stage can be a deeply distressing experience and we are committed to providing compassionate support to employees during this time. Employees who experience a miscarriage, ectopic pregnancy, molar pregnancy or still birth will be treated with sensitivity and care. Employees are encouraged to speak confidentially with their line manager or HR so support can be offered.

9.1 Miscarriage

For cases of miscarriage (loss of baby before the end of the 24th week of pregnancy), managers should take a compassionate, case-by-case approach to supporting the employee. This may include time away from work (paid leave), temporary adjustments such as homeworking or amended duties where appropriate. Additional support could involve a referral to Occupational Health, Counselling, the Employee Assistance Programme or signposting specialist external sources. Please see the Pregnancy Loss Employee Guide for further information.

If an employee is unwell following a miscarriage and absent from work, this will not count towards absence triggers.

9.2 Stillbirth and neonatal loss

In the tragic event of a stillbirth occurring on or after 24 complete weeks of pregnancy, this will be classed as Maternity Leave and Maternity rules apply. Maternity leave starts on the day after the stillbirth. Employees can also take up to two weeks' statutory parental bereavement leave.

Managers will endeavour to support the employee with compassion and sensitivity. This may include signposting appropriate services such as bereavement support and discussing reasonable adjustments when the employee is ready to return to work. For further information and support on stillbirth and neonatal loss, please see the employee guide.

10. Risk Assessments

Employees are encouraged to inform their manager as early as possible that they are pregnant, as this enables the Council to provide appropriate support and put in place any necessary adjustments in a timely manner.

A risk assessment should be jointly completed by the manager and employee and any necessary adjustments put in place to protect the employee's health and safety. The employee can request for this to be reviewed at any stage of their pregnancy or upon their return to work.

If the employee holds more than one role at South Kesteven District Council, a separate risk assessment will need to be completed by each respective manager for each role.

11. Annual Leave

The employee's holiday entitlement will continue to accrue while they are on maternity leave. The employee will also receive days in lieu for any bank holidays that fall during their maternity leave.

It is recommended that the employee discusses their annual leave plans with their manager before starting maternity leave, including whether to take annual leave before or after the period of maternity leave and to agree the dates. Any annual leave not used prior to maternity leave will remain available upon the employee's return to work and may be carried over into the next holiday year if necessary. An employee will not lose any annual leave entitlement as a result of being on maternity leave.

12. Keeping in Touch

It is beneficial for the employee to maintain contact during maternity leave. The Council will aim to keep the employee informed of any significant updates or changes that may be relevant while they are away from work. The most appropriate method and frequency of communication should be agreed between the employee and their manager in advance.

Employees are entitled to take up to 10 Keeping in Touch (KIT) days during their maternity leave. These days allow the employee to carry out work without affecting their entitlement to maternity pay. KIT days must be mutually agreed in advance with the manager and can be used for any normal work activity, including attending training or team meetings. KIT days can be taken at any point during maternity leave, except during the first two weeks following the birth. There is no obligation for the employee to take KIT days, and the Council will not require them to do so.

On a KIT day, the employee will receive their normal contractual rate of pay for the hours worked. If the employee is receiving Statutory Maternity Pay (SMP) at the time, this will be topped up to their usual hourly rate, ensuring the total payment does not exceed their standard daily pay. Please note that even if the employee works only part of a day, it will still count as one of the 10 allowable KIT days.

13. Returning to work after Maternity Leave

Employees will normally return to the same role and on the same terms and conditions of employment that applied prior to the maternity leave. However, if there's a reorganisation affecting this, the Council will consult with the employee about any potential impact.

The employee's manager will make contact before the employee is due to return to work to discuss arrangements for the return. The employee may wish to arrange a Keeping in Touch (KIT) day in advance, providing an opportunity to attend the workplace and have a conversation with their manager about the return to work.

14. Supporting Breast Feeding

The Council understands that employees may be breast feeding or expressing milk upon returning to work and we will provide appropriate support wherever reasonably possible. The employee is encouraged to discuss their needs with their manager or HR to agree suitable arrangements.

For further information about this policy, please contact the HR Team at hr@southkesteven.gov.uk

- This policy applies to employees within South Kesteven District Council unless stated otherwise within the policy.
- This policy does not form part of contracts of employment.
- The Council reserves the right to amend this policy from time to time.