

Freedom of Information Request

I would like a copy for the structure of the information directorate (stats, governance, information etc;,,).

See attached.

I would also like to know the following;

1. temporary posts ended or withdrew due to funding (names of post and stats) within the last 9 months

None

2..the amount of posts advertised within the last 9 months in the directorate filled and unfilled

Strategic Development & Business Services Directorate requisitions processed to RSSC 1 April 2021 to date.

	Permanent	Temporary	Total
Filled	27	3	30
Withdrawn/On hold	4	1	5
No Appointment/readvertise	1	3	4
In progress	7	5	12
Total	39	12	51

3...The maternity leave policy

See attached.

4....The policy or rules on notifying staff on maternity leave of posts that are advertised

There is no specific policy on this - it would be an employee's responsibility to keep abreast of any posts being advertised, however it would be good practice for managers to inform their staff if posts are due to be advertised.

Maternity leave information for staff

1. Background

The aim of this document is to provide information for staff applying for maternity leave.

It should also enable the manager to better plan for the member of staff's absence and their return to work. Through planned meetings between the manager and staff there should be more clarity regarding staff's intentions and preferences in regard to maternity leave arrangements and their return to work.

The document should also provide useful information to staff regarding maternity benefits, leave and notice requirements.

2. How to apply for maternity leave

As soon as possible, but at least before the end of the 15th week before the expected date of childbirth, you must notify your manager and Human Resources department in writing of your intention to take maternity leave, the date you wish your maternity leave to start and whether you intend to return to work. The contact details are as below;

Human Resources Department, Holywell Hospital, 60 Steeple Road, Antrim, B41 2RJ for action or e-mail to HRfamilyleave@northerntrust.hscni.net

The Human Resources Department will forward you an application form for maternity leave, (ML2 - Appendix 1) which you should complete and return to your manager, enclosing a maternity leave certificate (known as a MATB1), which is a statement from your GP or midwife, giving the expected date of childbirth.

The Human Resources Department will be able to then confirm:

- your paid and unpaid leave entitlements (or statutory entitlements if you do not qualify under this agreement) – see Appendix 2
- your expected return date, and
- the requirement for you to give at least **28 days notice** if you wish to return to work before the expected return date and if you fail to comply with the notice period your pay could be withheld.

If you subsequently want to change the date from which you wish your leave to start you should notify your manager and Human Resources at least 28 days in advance (or if this is not possible, as soon as is reasonably practicable beforehand).

Your manager will also meet with you to discuss your maternity leave and make sure you are aware of any options available to you following this leave e.g. reduced working hours, change of work pattern including job share, flexible working, career break. Your manager will also discuss with you arrangements/keeping in touch days, which may help you to keep up to date with developments at work and nearer the time of your return, to help facilitate your return to work,

and for you to notify your manager of any developments that may affect your intended date of return. Duties and pay must be agreed beforehand for the keeping in touch days.

3. Commencement of maternity leave

The earliest date you can commence maternity leave is 11 weeks before the expected week of childbirth. This would be your 29th week of pregnancy. However you may begin your maternity leave at any time between the 11th week before the expected week of childbirth, and the expected week of childbirth, provided you give the required notice. Maternity Leave can commence on any day of the week. An earlier start date is provided for in the event of a premature birth (see paragraph below).

Sickness prior to childbirth

If your illness is in any way related to your pregnancy and that illness is during the last 4 weeks before the expected week of childbirth, maternity leave will automatically start on the 4th week before the expected week of childbirth.

Odd days of pregnancy-related illness during this period may be disregarded if the employee wishes to continue working until the maternity leave start date previously notified to the manager/Human Resources Department.

Baby born prior to agreed Maternity Leave commencement date

If your baby is born earlier than the date you have agreed to start your maternity leave you need to contact the Human Resources department to advise of the date your baby has been born. The HR department will then amend your maternity leave commencement date as this needs to start the day after the baby is born.

Premature birth

Where a member of staff's baby is born alive prematurely they will be entitled to the same amount of maternity leave and pay as if her baby was born at full term.

Where the baby is born before the eleventh week before the expected week of childbirth, and you have worked during the actual week of childbirth, maternity leave will start on the first day of absence.

Where the baby is born before the eleventh week before the expected week of childbirth, and you have been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start on the day following the birth.

Where the baby is born before the eleventh week before the expected week of childbirth and your baby is in hospital you may split your maternity leave entitlement, taking a minimum period of two weeks leave immediately after childbirth and the rest of the leave following your baby's discharge from hospital.

Compulsory maternity leave

A member of staff must take a minimum of two weeks maternity leave from the date of childbirth.

Multiple posts

A member of staff on paid maternity leave may only work Bank shifts during unpaid maternity periods only.

4. Returning to work

If you intend to return to work at the end of your full maternity leave you will not be required to give any further written notification to your manager, although if you wish to return early you must give at least 28 days written notice to your manager and the Human Resources Department. Failure to comply with the notice period will result in pay being withheld for each day you fall short of the 28 days. NB: Even though you have advised us on the ML2 form that you intend coming back earlier than the 12 months you still must inform us in writing.

You have the right to return to your job under your original contract and on no less favourable terms and conditions.

Returning on flexible working arrangements

Flexible working arrangements encompass a whole range of initiatives, which can help staff to manage their domestic and working responsibilities, such as part-time working, job-share, term-time working.

If at the end of maternity leave you wish to return to work on different hours/working pattern, either on a temporary or permanent basis, you must discuss this with your manager.

If it is agreed that you will return to work on a flexible basis, including changed or reduced hours, for an agreed temporary period this will not affect your right to return to your job under your original contract at the end of the agreed period.

Sickness following the end of maternity leave

If you have taken less than 52 weeks maternity leave and are unable to return to work due to illness you must submit medical certificates.

* Failure to return to work

If you have notified your manager of your intention to return to work for the same or a different HSC employer for the required minimum period of 3 months, but failure to do so within 15 months of the beginning of maternity leave you will be liable to refund the whole of your maternity pay, less any Statutory Maternity Pay received. In cases where the Trust considers that to enforce this provision would cause undue hardship or distress the Trust will have the discretion to waive their rights to recovery.

5. General provisions

Health and safety of staff pre and post pregnancy

Where a fit to work certificate is produced stating the new or expectant mother is unfit to work night duty, the member of staff **must** be offered alternative daytime work for the duration of the certificate. The member of staff must also be referred to Occupational Health Service.

Where a member of staff is pregnant, has recently given birth, or is breastfeeding, the manager must immediately carry out a risk assessment of her working conditions. If it is found, or a

medical practitioner considers, that a member of staff or her child would be at risk were she to continue with her normal duties the Trust should provide suitable alternative work for which the member of staff will receive her normal rate of pay.

Where it is not reasonably practicable to offer suitable alternative work the member of staff should remain off work on full pay. These provisions also apply to a member of staff who is breastfeeding if it is found that her normal duties would prevent her from successfully breastfeeding her child.

Communication/Keeping in Touch Days (KIT Days)

All staff on maternity leave may work up to a maximum 10 KIT days without bringing their maternity leave to an end. KIT days are optional and must be by advanced agreement only between the member of staff and the line manager. KIT days may be used for any work-related activity, including attending training, conferences and team meetings and will be paid at the normal basic rate for hours worked. Working for part of any day will count as one KIT day.

Contractual rights

During maternity leave (both paid and unpaid) staff will retain all of their contractual rights except remuneration.

Increments

Maternity leave, whether paid or unpaid, will count as service for annual increments and for the purposes of any service qualification period for additional annual leave.

Accrual of annual leave

Annual leave will continue to accrue during maternity leave, whether paid or unpaid.

Where the amount of accrued annual leave would exceed normal carry over provisions, it may be mutually beneficial to both the manager and member of staff for the member of staff to take annual leave before and/or after the formal (paid and unpaid) maternity leave period. The amount of annual leave to be taken in this way, or carried over, should be discussed and agreed between the member of staff and the manager in advance of the maternity leave commencing. General Public Holidays will also be accrued during maternity leave. Please note this is in line with circular HSC (GEN) 1 2015: Accrual of General Public Holidays during Maternity Leave and is applicable to staff who were on maternity leave on 1 April 2015.

Pensions

Pension rights and contributions shall be dealt with in accordance with the provisions of the HSC Pensions Regulations. Where a staff member has any period of unpaid maternity leave and currently pays pension contributions they should contact the Payroll Department to ascertain what impact this will have on their pension and discuss payment of pension contributions for this period of unpaid leave if they decide to continue to pay.

Antenatal care

Staff are entitled to take paid time off during working hours to receive antenatal care. This includes appointments with your doctor or midwife and for relaxation and parent-craft classes. Staff may be asked by their manager to produce appointment cards.

Staff should give their manager as much notice as possible of appointments and wherever possible try to arrange them as near to the start or end of the working day/shift.

Paid time off equates to the normal pay that would have been received had the member of staff remained at work for the whole of the working day/shift.

Paternity Leave/Shared Parental Leave

The father or spouse, partner or civil partner of the baby's mother may also be eligible for statutory paternity leave/shared parental leave regardless if they have a different employer. Details of eligibility and entitlement can be found on the Revenue and Customs website or by contacting the HR Terms and Conditions team.

6. Frequently asked questions

Some frequently asked questions are listed in Appendix 3.

Revised December 2021



APPLICATION FOR MATERNITY LEAVE

Please complete details as requested, sign the form and give it to your manager who will countersign and have your application forwarded to the Human Resources Department, Holywell Hospital, 60 Steeple Road, Antrim, B41 2RJ for action or e-mailed to HRfamilyleave@northerntrust.hscni.net

PLEASE READ ENCLOSED MATERNITY LEAVE INFORMATION FOR STAFF

Name: _____ Staff Number: _____

Band/Grade: _____ Location: _____

Department/Speciality: _____

I wish to apply for maternity leave. I enclose a Medical Certificate (MAT B1) stating that my expected date of childbirth is _____.

Please complete either (i) or (ii) below

(i) I intend to work until the beginning of my 11th week before my EDC and will commence maternity leave on _____.

(ii) I intend to work after the 11th week before my EDC and will commence maternity leave on _____.

Do you wish to have your maternity payment spread over a specific period: **YES/NO**

If yes please state over 6, 9 or 12 months:

Please note this option is only available to monthly paid staff and to staff who are entitled to Occupational Maternity pay. If spreading maternity pay and not entitled to SMP you should note that pay will not commence until the 7th week of your maternity leave.

Do you intend to return to work following your period of Maternity Leave **YES/NO**

If **NO**: Signed: _____ Date: _____

If **YES**: (i) I agree to give the required 28 days notice should I decide to return early otherwise my pay will be withheld for the days I fail to give appropriate notice

(ii) I agree to return to work for NHSCT or another HSC employer for a minimum period of 3 months after my maternity leave has ended otherwise I will be liable to refund the whole of my OMP less any SMP received

(ii) I undertake to pay any pension contributions, if appropriate, in respect of all unpaid maternity leave

Signed: _____ Date: _____

Countersigned by Manager: _____ Date: _____

Manager Name in Capitals: _____ Date: _____

(PLEASE RETURN THIS FORM & MATB1 TO THE HUMAN RESOURCES DEPARTMENT)

Eligibility to Maternity Pay

Appendix 2

Service Requirement	Returning to Work		Not Returning to Work	
	Total Period of M/L	Entitlement	Total Period of M/L	Entitlement
Greater than 1 years continuous service within the NHS at the beginning of the 11 th week before EDC and have 26 weeks service with the Trust at the 15 th week before EDC. NB: this excludes bank service	52 weeks	8 weeks full pay 18 weeks @ ½ pay plus *SMP 13 weeks *SMP 13 weeks unpaid leave	52 weeks	6 weeks @ 9/10 of full-pay 33 weeks *SMP 13 weeks unpaid leave
Less than 1 years continuous service within the NHS at the beginning of the 11 th week before EDC and have 26 weeks service with the Trust at the 15th week before EDC. NB: this excludes bank service	52 weeks	6 weeks at 9/10 of average weekly earnings 33 weeks *SMP 13 weeks unpaid leave	52 weeks	39 weeks *SMP 13 weeks unpaid leave
Less than 1 years continuous service within the NHS at the beginning of the 11 th week before EDC and do not have 26 weeks service with the Trust at the 15th week before EDC.	52 weeks	52 weeks unpaid leave No entitlement to OMP or SMP Staff who do not qualify for SMP will be issued with Form SMP1 explaining the reason. This form should be sent by the member of staff to Castle Buildings in Belfast to ascertain if they qualify for Maternity Allowance.	52 weeks	52 weeks unpaid leave

A member of staff may, by prior agreement with the Payroll Department, have this entitlement paid in a different way for example a combination of full and half pay or spread over either 6, 9 or 12 months. Please note this option only applies to monthly paid staff and to staff who are entitled to Occupational Maternity Pay. If spreading maternity pay and not entitled to SMP you should note that pay will not commence until the 7th week of your maternity leave.

M/L – Maternity Leave

***SMP – Statutory Maternity Pay or 9/10th of average weekly earnings whichever is lower**

OMP – Occupational Maternity Pay

EDC – Expected Date of Childbirth

Frequently asked questions

Q1 If I decide to give up work can I still get SMP?

A You can get SMP even if you do not intend to return to work. As long as you have been employed for at least 26 weeks by the 15th week (known as the qualifying week) before your EWC and your normal weekly earnings are not less than the lower earnings limit for payment of National Insurance contributions.

Q2 Who is entitled to Maternity Allowance?

A If you are pregnant and do not qualify for SMP, you may be entitled to the Maternity Allowance payable by the Department of Health and Social Services.

Q3 Can I choose when to stop work?

A You may continue to work up to the day before your expected date of childbirth.

Q4 If my baby is born after the date given on my MATB1 certificate, am I entitled to more maternity leave?

A The 52 weeks maternity leave period remains unaffected.

Q5 What happens if I have delayed the commencement of my maternity leave and become sick?

A Your maternity leave will begin automatically if you are absent from work due to a pregnancy-related illness during the 4 weeks before the start of your EWC. However, if the illness is not related to your pregnancy then the normal sick leave regulations apply.

Q6 What happens if I have delayed my commencement date and my baby is born while I am still working?

A Your maternity leave will commence on the day after you are admitted to hospital/have your baby.

Q7 What happens if I become sick after my baby is born?

A As a general rule, if you are sick on maternity leave you remain on maternity leave. However, if you are still sick when you are due to return to work then you will be treated under the sick leave scheme, providing you have given the required 28 days notice of your return, as required under the maternity leave guidance.

Q8 Do I have the right to return to my job on reduced hours or different working pattern?

A No. You do not have the right to return to your job on a different basis, however, you have the right to approach your manager and ask him/her to give your request consideration. Decisions to all requests will be dictated by the requirement and responsibilities of the post and the impact on service provision.

Q9 What happens if I have notified my intention to return to work following maternity leave and fail to do so?

A You are required to return to work for NHSCT or another HSC/NHS Employer for a minimum 3 months period in order to retain your full Occupational Maternity Pay. Should you fail to do so you are liable to refund the whole of the Occupational Maternity Pay received less Statutory Maternity Pay.

Q10 How are my pension contributions affected during maternity leave?

A You are required to pay pension contributions in respect of any period of unpaid maternity leave. These can be paid either in one lump sum or over a period of several months. You should contact the Payroll Department to make the necessary arrangements.

Q11 What happens to my annual leave and public holiday entitlement during maternity leave?

A You will continue to accrue annual leave and public holidays during maternity leave, whether paid or unpaid.

Q12 If I am a temporary employee what maternity entitlements do I have?

A You will be entitled to 52 weeks maternity leave, payment based on your length of service (see Appendix 2). If your period of employment is due to end after the 11th week before expected week of childbirth and you meet the requirements for maternity leave your contract will be extended to enable you to receive 52 weeks maternity leave.

Q13 Is my continuous service affected if I change my post within the HSC immediately after paid or unpaid maternity leave?

A No, there is no break in service.

Q14 What happens if I fail to give the required 28 days notice if I decide to return early?

A Your pay will be withheld for every day you fail to give notice. e.g. if you only give 21 days notice you will lose 7 day's pay.

Q15 Can I still work in my Bank post whilst on Maternity Leave?

A It is only possible to work in your Bank post during periods of unpaid maternity leave.

Maternity leave information for managers

1. Background

The aim of this document is to provide information on dealing with applications from staff applying for maternity leave.

It should also enable the manager to better plan for the member of staff's absence and their return to work. Through planned meetings between the manager and staff there should be more clarity regarding staff's intentions and preferences in regard to maternity leave arrangements and their return to work.

The document should also provide useful information regarding maternity benefits, leave and notice requirements.

2. The process

When the manager is informed by a member of staff that she is pregnant, they must immediately carry out a risk assessment - refer to the Trust's Risk Assessment Procedure for New and Expectant Mothers. If it is found, or a medical practitioner considers, that a member of staff would be at risk were she to continue with her normal duties the Trust should provide suitable alternative work for which the member of staff will receive her normal rate of pay. Where it is not reasonably practicable to offer suitable alternative work the member of staff should remain off work on full pay. The manager should contact the Human Resources Department in these circumstances. The member of staff must also be referred to Occupational Health Service.

Also, the manager should advise the member of staff to write to the Human Resources Department, stating

- their intention to take maternity leave,
- the date they wish their maternity leave to start, and
- whether they wish to return to work.

The Human Resources Department will send an application form to the member of staff to complete, which they should return to their manager for signing, along with a MAT B1 certificate, which is a certificate from a doctor/midwife confirming the expected date of childbirth.

The manager should in turn forward the completed application form and certificate to the Human Resources Department. The Human Resources

Department will then write to the member of staff advising them of their leave entitlement and pay. This will be copied to the manager.

The manager should arrange a pre-maternity leave meeting with the member of staff to discuss arrangements for their maternity leave.

Please see flowchart at Appendix A.

3. Pre-maternity leave meeting

It is expected that this meeting will take place after the Human Resources Department confirms to the member of staff details of their maternity leave and pay entitlement, however, there are issues which will need to be discussed earlier e.g. risk assessment, time off for antenatal appointments etc, outstanding annual leave.

It is acknowledged that whilst some members of staff may have very clear views of their intentions both pre and post maternity leave e.g. working for as long as possible up to the expected week of childbirth, availing of unpaid leave once paid maternity leave entitlement expires or return to work on part-time hours, others may not. Nonetheless, where managers are advised of staff's intentions they can begin to consider fully the effect of this and how best to cover the period of absence and plan for their return.

The main purpose of the meeting is to:

- Check that the member of staff has received an information pack from the Human Resources Department.
- Confirm the dates of maternity leave, as noted in the letter from the Human Resources Department (this is copied to the manager).
- Highlight notice periods for return to work/application for additional leave (as detailed in the maternity leave information pack for staff), and the withholding of pay if the member of staff fails to give 28 days notice of their intention to return early.
- Discuss arrangements for antenatal appointments. Pregnant staff have the right to paid time off for antenatal care. Antenatal care may include relaxation and parent-craft classes as well as appointments for antenatal care.
- Discuss and agree any voluntary arrangements for keeping in touch during the employee's maternity leave, see appendix B for further details on Keeping in Touch (KIT) days.
- Discuss outstanding annual leave. Annual leave will continue to accrue during maternity leave, whether paid or unpaid. Where the amount of accrued annual leave would exceed normal carry over

provisions, it may be mutually beneficial to both the manager and member of staff for the member of staff to take annual leave before and/or after the formal (paid and unpaid) maternity leave period. The amount of annual leave to be taken in this way, or carried over, should be discussed and agreed between the member of staff and the manager. General Public Holidays will also be accrued during maternity leave. Please note this is in line with circular HSC (GEN) 1 2015: Accrual of General Public Holidays during Maternity Leave and is applicable to staff who were on maternity leave from 1 April 2015.

- If the member of staff is taking additional unpaid maternity leave, and pays pension contributions the manager should advise them to contact the Payroll Department to ascertain what impact this will have on their pension and to discuss payment of their pension contributions for this period of unpaid leave if they wish to continue to pay.
- Discuss any health and safety issues. The Trust seeks to protect the health and safety at work of all staff. It is the manager's responsibility to assess whether there is any potential risk to health and safety at work which may affect pregnancy - refer to the Trust's Risk Assessment Procedure for New and Expectant Mothers. The member of staff should raise any concerns about her health and safety with the manager. A copy of the completed and signed risk assessment must be forwarded to the Trust's Health and Safety Advisor.
- Discuss with the member of staff, their period of maternity leave and make sure they are aware of any options available to them following this leave e.g. reduced working hours, change of work pattern including job share, flexible working, career break.
- Identify where possible their preferred option for return to work and make the necessary arrangements to facilitate this as far as is reasonably practicable.
- Discuss communication arrangements during maternity leave and highlight that plans associated with the intended date of maternity leave absence and post delivery may have to be altered due to a change in circumstances or events outside an individual's control and therefore any changes should be communicated to the manager at the earliest opportunity.
- Advise the member of staff of how their work will be covered during maternity leave, to avoid backlogs on their return.

A checklist is provided at Appendix C.

4. Pre-maternity leave working

Working arrangements - the manager should put in place any arrangements required to cover the member of staff's maternity leave.

Health and safety - the manager should carry out a risk assessment of working conditions - refer to the Trust's Risk Assessment Procedure for New and Expectant Mothers.

Antenatal care - the member of staff is entitled to take paid time off during working hours to receive antenatal care. This includes appointments with their doctor or midwife and for relaxation and parent-craft classes. Please note under paternity leave regulations employees whose partners work in the Trust are also entitled to reasonable time off. The manager may ask the member of staff to produce their appointment card.

Staff should give their manager as much notice as possible of their appointments and wherever possible try to arrange them as near to the start or end of their working day/shift.

Paid time off equates to the normal pay the member of staff would have received had they remained at work for the whole of the working day/shift.

Sickness prior to childbirth - if staff are unable to work during the last 4 weeks before the expected week of childbirth and the illness is in any way related to their pregnancy, maternity leave will automatically commence at the beginning of the 4th week before the expected week of childbirth or the beginning of the next week after the member of staff last worked whichever is the later.

Odd days of pregnancy-related illness during this period may be disregarded if the member of staff wishes to continue working until the maternity leave start date previously notified to the manager/Human Resources Department.

Changing the maternity leave start date - if the member of staff subsequently wants to change the date from which she wishes her leave to start she should notify her manager and Human Resources at least 28 days in advance (or if this is not possible, as soon as is reasonably practicable beforehand).

5. During maternity leave

Communication/Keeping in Touch Days (KIT Days) - as agreed at the pre-maternity leave meeting, communication between the manager and member of staff should be maintained. A member of staff may work up to a maximum 10 KIT days without bringing their maternity leave to an end. KIT days are optional and must be by advanced agreement only between the member of staff and the line manager. KIT days may be used for any work-related activity, including attending training, conferences and team meetings and will be paid at the normal basic rate for hours worked. Working for part of any day will count as one KIT day. See Appendix B for further details.

Premature birth - where a member of staff's baby is born alive prematurely they will be entitled to the same amount of maternity leave and pay as if her baby was born at full term.

Where the baby is born before the eleventh week before the expected week of childbirth, and the member of staff has worked during the actual week of childbirth, maternity leave will start on the first day of the member of staff's absence.

Where the baby is born before the eleventh week before the expected week of childbirth, and the member of staff has been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start the day following the birth.

Where the baby is born before the eleventh week before the expected week of childbirth and the baby is in hospital the member of staff may split her maternity leave entitlement, taking a minimum period of two weeks leave immediately after childbirth and the rest of her leave following her baby's discharge from hospital.

Still birth - where the baby is still born after the 24th week of pregnancy the member of staff will be entitled to the same amount of maternity leave and pay as if her baby was born alive.

Miscarriage - where a member of staff has a miscarriage before the 25th week of pregnancy normal sick leave provisions will apply as necessary.

Compulsory maternity leave – a member of staff must take a minimum of two weeks maternity leave from the date of childbirth.

6. Returning from maternity leave

Giving notice - staff who intend to return to work at the end of their full maternity leave will not be required to give any further notification to their manager, although if they wish to return early they must give at least 28 days notice. Failure to comply with the notice period will result in pay being withheld for each day the member of staff falls short of giving the 28 days appropriate notice.

Sickness following the end of maternity Leave – if a member of staff has taken less than 52 weeks maternity leave and indicates that they are unable to return to work due to sickness the absence should be dealt with in accordance to the Managing Attendance policy and an immediate referral to Occupational Health should be made by the manager.

Health and safety - where a member of staff has recently given birth, or is breastfeeding, the manager should carry out a risk assessment of her working conditions - refer to the Trust's Risk Assessment Procedure for New and Expectant Mothers. If it is found, or a medical practitioner considers, that a member of staff or her child would be at risk were she to

continue with her normal duties the Trust should provide suitable alternative work for which the member of staff will receive her normal rate of pay.

Where it is not reasonably practicable to offer suitable alternative work the member of staff should remain off work on full pay. These provisions also apply to a member of staff who is breastfeeding if it is found that her normal duties would prevent her from successfully breastfeeding her child.

Working arrangements - if at the end of maternity leave the member of staff wishes to return to work on different hours/working pattern, either on a temporary or permanent basis, she must discuss this with her manager.

If it is agreed that the member of staff will return to work on a flexible basis, including changed or reduced hours, for an agreed temporary period this will not affect the member of staff's right to return to her job under her original contract at the end of the agreed period.

Any change should be communicated to the Human Resources Department on a Notification of Change form.

Staff with multiple posts

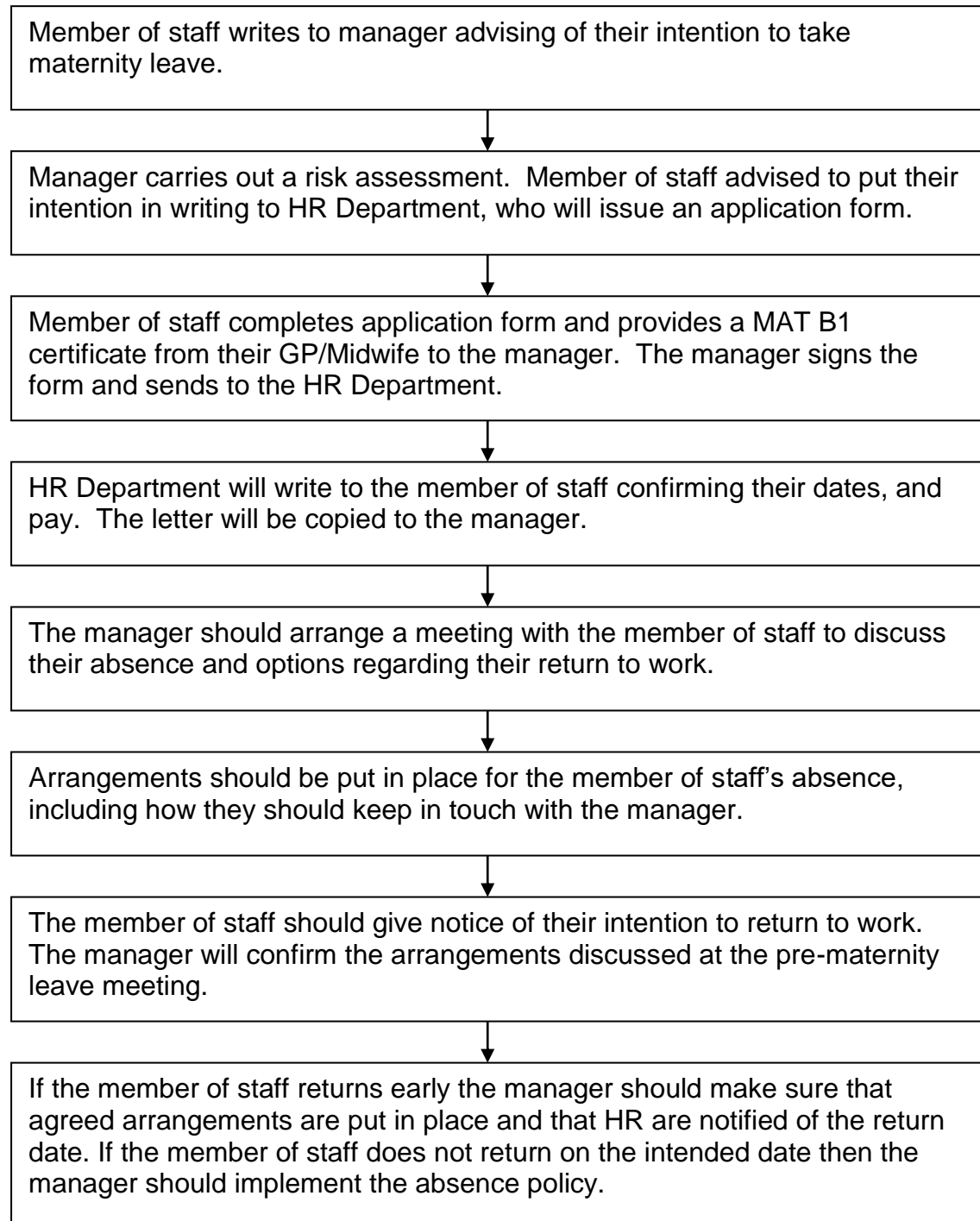
If the member of staff on maternity leave also holds a Bank post on the same pay frequency, unfortunately for maternity pay purposes they cannot be terminated from their Bank post until after their maternity leave ends.

A member of staff on paid maternity leave may only work Bank shifts during their unpaid maternity leave period only.

* **Failure to return to work** – if a member of staff who has notified her manager/Human Resources Department of her intention to return to work for the required minimum period of 3 months, for the same or a different HSC/NHS employer, fails to do so within 15 months of the beginning of her maternity leave she will be liable to refund the whole of her occupational maternity pay, less any Statutory Maternity Pay, received. In cases where the Trust considers that to enforce this provision would cause undue hardship or distress the Assistant Director in line management will have the discretion to waive the Trust's rights to recovery.

Appendix A

Maternity Leave – the Process



Keeping in Touch Days

- To facilitate the process of Keeping in Touch Days (KIT days) it is important that the employer and employee have early discussion to plan and make arrangements for KIT days before the employee's maternity leave takes place.
- To enable employees to take up the opportunity to work KIT days employers should consider the scope for reimbursement of reasonable childcare costs or the provision of childcare facilities.
- KIT days are intended to facilitate a smooth return to work for women returning from maternity leave.
- An employee may work for up to a maximum of 10 KIT days without bringing her maternity leave to an end. Any days of work will not extend the maternity leave period.
- An employee may not work during the two weeks of compulsory maternity leave immediately after the birth of her baby
- The work can be consecutive or not and can include training or other activities which enable the employee to keep in touch with the workplace.
- Any such work must be by agreement and neither the employer nor the employee can insist upon it.
- The employee will be paid at their basic daily rate, for the hours worked less appropriate maternity leave payment for KIT days worked.
- Working for part of any day will count as one KIT day
- Any employee who is breastfeeding must be risk assessed and facilities provided in accordance with Health & Safety.
- For payment of KIT days the employee should complete Kit Day Claim Form - Appendix C and forward to their manager. Once approved the manager should forward completed claim form to Payroll Shared Service Centre by e-mail to sick_certs.ssc@hscni.net with subject heading Maternity KIT day.

Claim For Keeping in Touch Days - Maternity

Trust: Northern Job Title/Band: _____ Pay Frequency: _____

Name: _____ Staff No. _____

Date	Hours Worked	Enhancement?
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>
		<u>*Saturday / Sunday / Nightshift / Dayshift</u>

(*delete as appropriate)

I hereby claim payment for "Keeping in Touch Days" listed above, in accordance with the maternity leave policy.

Signed: _____
(Employee)

Date: _____

I certify that the above named has worked on the dates shown above:

Signed: _____
(Head of Department or Line Manager)

Date: _____

This form should only be completed after the days have been worked. It must be scanned by the manager to the Payroll Shared Services Centre to sick_certs.ssc@hscni.net by the 3rd working day of each month as required, to ensure prompt payment.

Appendix D

Checklist for managers for pre-maternity leave meeting

Name:	
Grade:	
Date of meeting:	
Checklist:	
Information pack received from HR	<input type="checkbox"/>
Antenatal care arrangements	<input type="checkbox"/>
Check gateway dates (if during m/l period)	<input type="checkbox"/>
Notice of return	<input type="checkbox"/>
Annual leave	<input type="checkbox"/>
Pension Contributions (unpaid maternity)	<input type="checkbox"/>
Risk assessment	<input type="checkbox"/>
Options post maternity	<input type="checkbox"/>
Communication during maternity leave (KIT Days)	<input type="checkbox"/>
Workload	<input type="checkbox"/>
Record details of discussion/agreement regarding post maternity leave:	
Manager's signature:	