CITY OF WOLVERHAMPTON COUNCIL

Employee Maternity Guidance

wolverhampton.gov.uk

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Employee Maternity Guidance

Parenthood can be an exciting time, but it can also become challenging if you don't know what to expect. This guide aims to provide you with information to help you consider your options at work and includes practical guidance and advice to ensure a positive and productive experience for you during and after your pregnancy.

It is intended to complement the Support for Carers Policy, so it's a good idea to familiarise yourself with this too. The information in this pack is split into three key sections: Before Maternity Leave, During Maternity Leave and Returning to Work. A similar guide has also been created to support line managers to ensure they understand their responsibilities.

This pack applies to all CWC employees excluding those employed by a School. It excludes NJC employees and Teachers employed by Governing Bodies who are covered by Schools HR Policies or procedures. The content may be subject to change as the council revises its policies. If there are any inconsistencies, the terms of employment will take precedence.

If you have any questions about the information in the pack or anything you feel we haven't thought of, please contact People Services via the People Services Customer Portal and a People Consultant will be allocated to help answer your questions.

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Before Maternity leave

Telling your Line Manager that you are pregnant

When appropriate, you will need to inform your line manager of your pregnancy. Whilst you do not need to tell your manager of your pregnancy and intention to take maternity leave until the 25th week of pregnancy, you are encouraged to do this as early as possible, so they are able to conduct the necessary risk assessments, approve time-off for medical appointments and signpost you to appropriate advice and guidance. It may also help you to plan ahead and discuss arrangements for covering the period you wish to take leave.

You can expect your manager to keep your news confidential until you are ready to share it with the rest of the team. It is also important to continue to have regular and open conversations about how you're getting on and whether you need any additional support. You do not need to have concrete plans for your maternity leave or have considered all of the arrangements prior to sharing your news; however, it can be helpful to refer to this checklist during an initial discussion:

- Approximate due date.
- Time off for antenatal care – you have the right to take reasonable paid time off for appointments. See Time Off for Antenatal Care for further information.
- Annual leave – how much leave you have left to take and when you plan to take it. See the Annual leave section for further guidance.
- When you intend to start your maternity leave.
- When to give People Services notice of your intention to take maternity leave via Agresso. Your manager or a proxy user can do this for you if you do not have access.
- What happens if you are on a fixed term contract ending during your maternity leave period.
- When you would like to tell your colleagues.
- How your pregnancy may impact the work that you do.

During the meeting with your manager, your manager may complete a Maternity Checklist which will cover:

- Setting out when you would like to begin your maternity leave and to indicate to your manager when your expected return to work date will be
- Antenatal appointments
- Annual Leave
- All provisions for support
- Any additional support required.

Telling People Services and the Hub when you want to take maternity leave

In order to qualify for maternity pay, regardless of service, you must;

1. Notify your line manager by no later than the end of week 25 of your pregnancy or as soon as is reasonably practicable confirming:
    - Your pregnancy
    - The expected date of childbirth
    - The date you intend to start your maternity leave – this can be no earlier than week 29 of the pregnancy

2. Record the above information in Agresso on the Maternity Notification form in order to notify People Services and the Hub

- Upload a scanned copy of the MATB1 certificate to the Maternity form. This is normally issued at week 20-24 of the pregnancy. Originals are not required.

Your manager or a proxy user can complete steps 2 & 3 for you, if you do not have access to Agresso. The Hub will only be notified once you have uploaded the MatB1. Please refer to the Agresso Guide for further information.

Once complete, this will prompt an alert to People Services to allocate a People Consultant who will:

- confirm your eligibility for the maternity scheme and advise you of your entitlements
- Discuss your arrangements and answer any questions you may have
- Be your People Services contact for any pregnancy related queries throughout your pregnancy, whilst on leave and upon your return.

Timeline of key dates and events

Timeline of key dates for notifications and action required in birth scenarios are;

Week of pregnancy	Consideration / action
1-25 weeks	Notify your line manager of your pregnancy so that the Pregnancy & Breastfeeding Risk Assessment can be undertaken. If you work in a high-risk area (e.g. with harmful chemicals), this should ideally be done in the first trimester of your pregnancy (week 1-12).
12 weeks	First ultrasound scan (approximate date). Please see section Antenatal Care for more information.
12-25 weeks	You (or your manager) should notify People Services of your pregnancy and intended maternity start date by updating Agresso.
20 weeks	Second ultrasound scan (approximate date). See the Antenatal Care section for more information
21 weeks	Upload a scanned copy of MATB1 (original is not required) to Agresso. NB. Statutory Maternity Pay (SMP) cannot be paid without this.
21-25 weeks	Arrange to go through the Maternity Checklist with your line manager. A People Consultant will arrange to discuss the arrangements and any questions you may have.
25 weeks	This is the qualifying week (also referred to as the 15th week before Expected Week of Childbirth (EWC)) and the latest you must inform People Services and The Hub in order to qualify for maternity leave and pay.
29 weeks	Your 29th week is the earliest your maternity leave and pay can begin (11th week before the EWC).
36 weeks	Your maternity leave may start automatically if you are off sick with a pregnancy related illness during the 4 weeks before your baby is due. The normal sickness reporting procedure should be followed if this happens and you should also ask them to notify your People

	Services representative of the sickness.
39 weeks	Maternity leave will commence the day after your baby is born if the actual birth date is earlier than the maternity leave start date you originally specified. If this happens, your manager must notify the Hub by updating the 'Actual Return Date' on Agresso.
40 weeks	Due date. Referred to as EWC on your MATB1.
After Childbirth	**Consideration / action**
1-2 weeks	Compulsory 2 week maternity leave period after baby is born, for health and safety reasons. Let your manager know how you and baby are doing.
3-52 weeks	You may take up to 10 keeping in touch (KIT) days during your maternity leave. Remember to complete the KIT form to log the time worked and return this to your manager to approve. Your manager should forward the form to the Hub to ensure you get paid. Keeping in touch with your manager can ease the transition of returning to work. Remember to give People Services and the Hub 8 weeks' notice if you wish to change your Return to Work (RTW) date. Your manager must also update the 'Actual Return Date' on Agresso to notify the Hub. Your maternity leave ends by returning to work or taking annual leave.
After maternity leave ends	You can opt to return to work on reduced hours for a period of 13 weeks (this period starts the day after your maternity leave ends). To extend this arrangement you will need to submit a Flexible Working application. If you opt to take annual leave before you return back to the work place, the 13 week period still starts immediately following the end of your maternity leave. You are also entitled to request up to 4 weeks unpaid Parental Leave per year. See Support for Carers Policy for further guidance.

IVF Care and Support

CWC recognises the importance of understanding what in-vitro fertilisation (IVF)

involves, particularly as different legal rights apply at different stages of the process. The council is committed to assisting staff who may experience issues that could arise during IVF treatment by ensuring managers are aware of their obligations in relation to time off for treatment, health and safety and preventing discrimination and specific employment rights for pregnant employees.

For some, the emotional impact that IVF can have, resulting from the underlying fertility issue, the physical and emotional stress of the treatment, the wait to see if the procedure has worked and the potential distress if it is unsuccessful can be a difficult time. If you are struggling, talk to your manager, People Services or Occupational Health for advice on the support available. Any information shared with them will be dealt with confidentially.

Whilst this guide deals specifically with IVF, many of the issues that IVF presents are common to other forms of fertility treatment.

Entitlement to time off for IVF

IVF treatment involves regular medical appointments. Time off is likely to be needed for investigative appointments prior to the start of the treatment and in the course of treatment. Whilst there is no statutory entitlement for time off for IVF treatment, CWC allow up to five days paid leave to be granted in a rolling 12 month period for employees to undergo fertility treatment.

To request this time off, you will need to:

- inform your manager as soon as practicably possible of your plans to undergo fertility treatment prior to doing so; and
- provide a statement from a qualified medical practitioner confirming the recommended treatment; and
- provide appointment confirmation.

If any further time off is required it can be taken as annual leave, flexi leave, unpaid leave or a flexible working arrangement can be mutually agreed.

Following implantation, a pregnancy may or may not occur, but you are regarded as being pregnant at the point of implantation and therefore provided protection under the Equality Act (pregnancy legislation) from this point onwards. You do not have to tell your manager what stage you are at. However, to avoid any uncertainty as to your entitlement, you will need to inform your manager when you have reached this stage. If the treatment is successful and the pregnancy continues, the protection will continue until the end of the maternity leave period and the maternity scheme and procedure outlined in this pack shall apply.

If the treatment is unfortunately unsuccessful, the protection will end two weeks after the end of the pregnancy – i.e. two weeks after the date you were informed that implantation wasn’t successful.

If you are unable to work due to the effects of the treatment and are signed off by your GP, this absence is treated as sickness absence and you will be required to follow normal sickness absence procedures. You may wish to utilise this opportunity to update your manager on how you are doing and if additional support is required.

Employees who wish to accompany a partner/spouse at fertility treatment must request annual leave, flexi leave or unpaid leave in the normal way, unless they are requesting leave to participate in their partner/spouse's treatment (e.g. sperm donation) in which case, the above will apply.

IVF Health & Safety

There are no specific health and safety obligations in connection with employees undergoing IVF treatment before the employee is pregnant, but CWC is committed to assessing the risks for employees in relation to pregnancy or maternity (whether or not an employee is actually pregnant).

Your manager is encouraged to begin the Pregnancy & Breastfeeding Risk Assessment as soon as they are aware that you are in the advanced stages of IVF. This is so that any preventive and protective measures can be put in place as soon as possible. They could begin the risk assessment by focusing on the role, rather than requiring your involvement, in order to be prepared to put in place temporary measures to avoid any risk until the outcome of the treatment is known.

Additional support and advise is available via:

- Occupational Health
- Employee Assistance Programme (EAP)
- People Services

Maternity Entitlements – Eligibility & Pay

You are entitled to 52 weeks Maternity **leave** regardless of your length of service, grade or number of hours worked.

Maternity **pay** is spilt into two elements, Statutory Maternity Pay (SMP) and Occupational Maternity Pay (OMP). SMP is the legal minimum CWC has to pay you whilst you're on maternity leave. OMP is what CWC will pay on top of your SMP, if you declare your intention to return to work for a minimum of 13 weeks on your usual hours. If you are eligible for OMP, you can opt to receive it monthly or as a lump sum on your return to work, if you are unsure about a return to work.

As an employee of CWC, you are eligible for Statutory and Occupational Maternity Pay, if you have 26 weeks' continuous service at the 15th week before expected week of childbirth and have average weekly earnings at least equal to the *National

Insurance, Lower Earning Limit (LEL). Entitlements shown below:

0-6 weeks	90% of your normal pay or at the statutory minimum amount set by the government.
7-18 weeks	50% of their normal pay (OMP) + SMP. To qualify for OMP employees need to declare their intention to return to work. This is capped at the normal full pay rate. Entitlement to OMP is subject to the employee returning to work for a period of 13 weeks at previous contracted hours (the period will be longer if the employee returns to work on reduced hours). If an employee chooses not to return to work then all or part of the OMP may need to be repaid. SMP is not conditional on return to work so this element will not need to be repaid if you choose not to return.
19-39 weeks	SMP only – either 90% average weekly earnings or the **statutory minimum (whichever is lower).
40-52 weeks	No pay.

*refer to www.gov.uk for the current National Insurance Lower Earning Limit.

**refer to www.gov.uk/maternity for the current statutory minimum. Tax and National Insurance will need to be deducted.

If you do not have 26 weeks continuous service, you will be eligible for maternity leave but not maternity pay. The Hub will forward a SMP1 form for you to complete and send to the Department of Working Pensions (DWP) as you may be entitled to maternity allowance instead. Further information is available at www.gov.uk/maternity-allowance.

Strike action: calculation of maternity pay entitlement is unaffected by strike action. Pregnant employees and those on maternity leave are normally requested to be exempt from strike action.

Multiple posts: if you have more than one post at the council, your earnings will be combined for the purpose of calculating maternity pay. The no. of weeks that you must return to each post are dependent upon the contractual hours at the time of maternity leave in each post (if you do not wish to pay back any OMP)

Pay forecast: a maternity pay forecast calculator is available on the People Services Intranet if you wish to obtain this information. Please note the calculator is dependent on many variants therefore is provided as an estimate only.

Other deductions from your pay: if you have money voluntarily deducted from your pay such as Paycare, Union subscriptions or salary sacrifice payments on a regular basis, these deductions will continue whilst you are on paid maternity leave. If you go on to SMP or nil pay your contributions will cease. Childcare vouchers and salary sacrifice payments will be re-instated automatically when back to full pay however you will need to advise the Hub if you wish to re-instate any other voluntary deductions, such as Paycare or Union subscriptions on your return to work.
It may be useful to know that you continue to keep any items purchased/leased under the Salary Sacrifice Agreement whilst payments are stopped. You will be able to increase your payments, to help you catch up with the payments on your return.

Pension

During any period of maternity leave, the pensionable pay figure used to work out your pension is your 'assumed pensionable pay', rather than the amount of pensionable pay you receive and pay contributions on. This means that you continue to build up pension in the section of the LGPS you are in, as if you were working normally and receiving your salary.

Any period of mandatory unpaid leave and unpaid additional maternity leave will not count for pension purposes, unless you elect to pay Additional Pension Contributions (APC's) to purchase the amount of pension lost during that period of unpaid absence.

If you wish to purchase the amount of lost pension and make the election within 30 days of returning to work, then the cost of the APC is split between you and the council. You will pay one-third of the cost and the council will pay the rest. This is known as a Shared Cost Additional Pension Contribution (SCAPC). You can pay these additional contributions in a one-off lump-sum or through regular monthly deductions from your pay.

The process to buy lost pension:

1. Email Payroll.Services@wolverhampton.gov.uk to request your lost pensionable pay figure for your period of unpaid maternity leave (quoting your Res Id or NI Number). This figure is needed when completing the quote application.
2. To obtain a quote to buy lost pension back visit LGPS selecting "quote and apply" for Buy Lost Pension.

3. Print, sign, date and email the application form to Payroll.Services@wolverhampton.gov.uk within 30 days of returning to work following your period of unpaid maternity leave (example if your period of unpaid maternity leave ended 31 March, you would need to make your application on or before 30 April).

For further information on paying APC's please contact the West Midlands Pension Fund on 0300 111 1665 or email pensionfundenquiries@wolverhampton.gov.uk

Time off for Antenatal Care

Good antenatal care is essential in maintaining the health and wellbeing of both you and your baby during your pregnancy. You have the right to take a reasonable amount of time off work with pay to receive antenatal care. This includes antenatal care, hospital or appointments made on the advice of a registered medical practitioner, midwife or nurse. You will need to produce written evidence to your manager of your antenatal care as far in advance as possible. If your appointments, including waiting time and travelling time to and from appointments, fall within your normal working hours (or core hours if your work flexible hours), you will be credited for the hours not worked. You are not required to make up any core time lost through attendance at antenatal appointments.

Annual Leave

You will continue to accrue annual leave and bank holidays during your period of maternity leave at the normal rate. If your current leave year ends during your maternity leave, you should take your leave entitlement prior to commencing maternity leave wherever reasonably possible. Any carry over needs to be agreed with your line manager.

If you'd like a gradual or phased return to work, you could choose to end your maternity leave during the no pay period and opt to take the accrued leave either in a block or a few days a week.

Annual leave entitlement should be discussed and agreed with your line Manager. If you wish to use the leave calculator, remember to deduct any bank holidays already taken from the total leave entitlement (i.e. deduct the number of bank holidays that have occurred from the start of the leave year up until the date of leaving for maternity leave). For example:

No. of hours worked per week:	37 hrs.
Personal Leave Year Commenced:	1 January
Total leave	26 days
Total bank holiday entitlement:	8 days

Total leave & b/h entitlement:	34 days
Maternity start date:	30 June
Number of bank holidays taken prior to maternity start date:	-5 days (37 hours)
Total leave entitlement:	29 days (214.6 hours)

In the example above, the total leave to be taken prior to commencing maternity leave on the 30 June is 29 days. Any leave and bank holidays accrued in the new leave year until the end of the maternity leave should be taken on the return from maternity leave.

It's also useful to know:

- If you choose to use your full leave entitlement before your maternity leave starts and then do not return, you may need to make the appropriate refund to the council.
- CWC cannot pay you in lieu of your statutory leave entitlement except on termination of your contract.
- You can contact the People Support Desk via the portal if you have any queries about your leave entitlement on Agresso.
- Contact your People Consultant should you wish to discuss the different options available.

Company Assets

If you have a mobile phone, laptop or other electronic device, you should discuss what you are taking and what you are leaving in your locker or with your line manager. You can keep your laptop at home however due to council wide security measures, access to the network is temporarily revoked if anyone remains inactive for a period of 4 weeks. Digital and IT are able to re-instate your access remotely should this happen. However, if you remain inactive for a period of 7 weeks, your access to the network will need to be re-built and Digital and IT will require access to your laptop for this. You will also need to ask your manager to contact Digital and IT to re-instate your access in the latter case.

Pregnancy related illness

What happens if I am off work with a pregnancy related illness during my pregnancy?

- Periods of sickness during pregnancy will be treated in accordance with the normal sickness absence procedure i.e. 1st/4th/8th day notification and you are entitled to receive sick pay.

- If you are absent at the beginning of the 4th week before the EWC and your absence is wholly or partly linked to your pregnancy, your maternity leave will automatically commence. For example, if you became sick on Monday and were off work as a whole or partial link to your pregnancy, your maternity leave and maternity pay would commence the following day i.e. Tuesday regardless of when you expected it to commence.

Any pregnancy related absence is applicable for an exemption from the Management of Attendance procedure. Your manager will submit an exemption form to People Services for approval.

- If you receive Statutory Sick Pay (SSP) during all of the weeks used to calculate your average earnings for SMP you will not have earned enough to qualify for SMP and you should claim Maternity Allowance instead.

Your Health, Safety and Welfare

CWC is required to protect the health and safety at work of all employees, including pregnant employees and employees who are breastfeeding. The Management of Health and Safety at Work regulations 1999 require employers to assess risks to their employees and to do what is reasonably practicable to control those risks. Once you have informed your manager that you are pregnant, they are required to carry out a Pregnancy & Breastfeeding Risk Assessment. If the risk assessment identifies any specific risks that cannot be avoided, your manager will seek further advice from People Services and Occupational Health to discuss what reasonable adjustments can be made to ensure you are not exposed to that risk. Do not forget to talk to your manager if you have any concerns. For more information about what to consider, you may wish to refer to the Pregnancy & Breastfeeding H&S Policy.

For some, pregnancy can be a difficult transition. The council's Wellbeing and Occupational Health Services provide a wide range of support to employees. As well as assessing and supporting you when you are potentially not well enough to be at work or are ready to return to work after ill-health, occupational health provides health prevention initiatives such as access to eye test vouchers and physiotherapy services. If you have concerns around this and you wish to speak with Occupational Health, please discuss or request a referral through your line manager.

The Employee Assistance Programme (EAP) is a resource that offers information and advice on a range of workplace and personal issues. Through the EAP employees can access the following support:

- Telephone support (providing counselling, information and advice)
- Face to face counselling
- Information and guidance on Health, Wellbeing and Lifestyle

- Information and guidance on matter such as childcare finances and debt management
- Support and guidance for managers
- Critical/traumatic Incident Response

Employees can access the EAP helpline on 0800 136 6310, access via the Our People Portal or visit cwc.workplacewellbeing.com directly. You do not need to advise anyone that you are accessing this support. It is completely private and confidential.

Shared Parental Leave

It may suit you and your partner to consider Shared Parental Leave (SPL). SPL is designed to give parents more choice and flexibility in how they share the care of their child in the first year following birth or adoption. SPL allows partners to choose how to share a period of leave between them after their child is born. This could include both parents being off work at the same time and/or taking it in turns to have periods of leave to look after the child.

You are still entitled to 52 weeks maternity leave however SPL allows you flexibility as to whether to take all 52 weeks as maternity leave or share some of your maternity leave with your partner. Pregnant employees must take two weeks compulsory maternity leave and partners are still entitled to two weeks paternity leave. Paternity leave can be taken before or after SPL if preferred; however this must be taken within 52 weeks of the child's birth or adoption. The remaining amount of leave can be taken either as maternity leave or as SPL, provided you have opted out of your maternity leave and both parents meet the required eligibility criteria for SPL. See Shared Parental Leave Guidance for further information.

If you wish to discuss this option further, contact your allocated People Consultant who will advise you further. If you decide this is the route you'd like to take, you will need to complete the SPL form and forward this to the People Consultant.

During Maternity Leave

Contact during Maternity Leave

Different people keep in touch with their line manager in different ways. The type and frequency of contact ideally should be agreed prior to going on leave. This could be the occasional email or text message from your line manager or more formal structured contact – it's entirely up to you and your manager. Your manager must contact you if there are promotions, or other job opportunities, a redundancy situation or a restructure that would impact your job.

There are only two things that an employee is required to do legally to keep in touch whilst on maternity leave:

- Inform CWC of the birth of the baby if this comes before the maternity leave was intended to start (i.e. if it happens whilst you are on annual leave).
- If you plan to return to work before the end of your statutory entitlement of 52 weeks, then you need to provide 8 weeks formal notice. If you do not intend to return than the normal notice period and leavers procedure will apply.

Keep In Touch days

Keep in touch (KIT) days are designed for employees who wish to be kept up to date during their leave period and participate in training activities or other team events. It could also be an opportunity for you to trial your childcare arrangements and phase your return to work.

You may participate in up to 10 "keep in touch" days during your maternity leave. Participation is not compulsory, and dates must be mutually agreed between you and your line manager. If you do take part, this will not bring your maternity leave to an end. KIT days may be taken any time during the maternity leave period except during the first 2 weeks after childbirth which is a period of compulsory maternity leave.

Employees can work part of a day, but this will count as one KIT day. The employee is only eligible to payment for the hours worked at their normal rate of pay. In order to be paid, you will need to complete and send the approved KIT form to the People Support Desk.

Redundancy during pregnancy or maternity

If your employment ends during pregnancy or the maternity leave period you may still qualify for the maternity pay scheme. However, the payments for OMP will cease on the contract end date. Maternity leave counts as continuous service for redundancy purposes and does not affect the right to redundancy payment. If you

have worked for CWC for at least two years you will be entitled to a statutory redundancy payment if your post is made redundant.

You can still get SMP if you were employed in all or part of week 25 of pregnancy and you meet the qualifying conditions for SMP.

If you qualify for redundancy and your employment ends ***in or after*** your qualifying week:

- You are still entitled to SMP for 39 weeks. If you are already on maternity leave and receiving SMP, your maternity ***leave*** will come to an end when your employment ends and any payment owed will be paid as a lump sum at the end of employment.
- If you start a new job before the end of your 39 week maternity pay period (count forward 39 weeks from the date your SMP started), you will need to repay any SMP that you owe.

You will not get SMP if you are made redundant and your employment ends ***before*** your qualifying week (the 25th week of pregnancy) but you may be able to claim Maternity Allowance.

For further information on redundancy during pregnancy and maternity, refer to the Restructure and Redundancy Managers Guidance or contact your allocated People Consultant.

The Unexpected

It is hoped that your pregnancy progresses smoothly, however sometimes the unexpected can happen. In the event of the unexpected, it may be helpful to know the council will do its utmost to support you through it.

If the unexpected happens, speak with your line manager who will ensure the news is dealt with sensitively and according to your wishes. They will also be able to offer you the appropriate support, signpost you to internal resources and liaise with People Services and the Hub on your behalf if you wish.

You may also wish to consider how the personal information is handled at work and communicated to colleagues.

Some support mechanisms that you may wish to utilise include:

- Occupational Health who could help to answer any health-related questions that you may have.
- Employee Assistance Programme (EAP) to access counselling and support.
- Family Friendly Schemes – to help ease your return to work when you are ready.

- People Services– who will be able to answer any work-related questions, provide advice in respect of entitlements or communicate your news to anyone.
- Parental Bereavement Leave (PBL) – you may be eligible for 2 weeks paid PBL. Further information can be found in the Support for Carers Policy.
- Neonatal Care Leave – you may be eligible for up to 12 weeks leave and statutory pay if the baby requires neonatal care before the age of 28 days.

Entitlements:

It may be helpful to know what your contractual entitlements are in the event of the **unexpected**.

If a baby is unfortunately stillborn before the end of the 24th week of pregnancy, it is treated as a miscarriage. In these circumstances maternity leave and pay will not apply. However, parents may be distressed and therefore should be dealt with sensitively. Requests for annual leave, flexi leave, unpaid leave and time off for dependants should be considered. If you feel too unwell to return to work, then the usual sickness absence procedures will apply.

In the unfortunate event of a stillbirth (after the 24th week of pregnancy), your entitlement to maternity leave and pay will still apply. If you wish to return to work earlier than planned, 8 weeks' notice will apply however, this should be dealt with sensitively and discretion should be applied where possible.

If a baby is born alive prematurely (even prior to 24 weeks) and subsequently does not survive, then maternity leave including pay will still apply because a live birth took place. Employees may also wish to consider taking Parental Bereavement Leave following the end of Maternity leave or at a later date (see section 15.2 of Support for Carers Policy).

Neonatal care

If your baby was born on or after 6 April 2025 and they require neonatal care within a period of 28 days (starting from the day after the child's birth) you will be entitled to Neonatal Care Leave (NCL). The leave is available to parents where the child's neonatal care lasts for a period of at least seven days (starting from the day after the care begins).

Employees will be able to receive up to 12 weeks of additional leave in addition to other statutory leave entitlements such as maternity, paternity, adoption or shared parental leave. NCL must be taken within the first 68 weeks of the birth and taken in full weeks. The leave entitlement is variable based on length of time the child requires neonatal care.

You may also be entitled to statutory neonatal care pay (NCP) if you meet further eligibility requirements (for further information on leave entitlement and pay please refer to the Support for Carers Policy).

Employees must inform the Council of their intention to take NCL at the earliest opportunity. However, it is recognised this will be a challenging time for you and so, the Council will be as considerate and as helpful as possible to assist employees navigating a process they may not have expected to happen to them.

The relevant notice requirements differ depending on whether you take your leave in the tier 1 or tier 2 period

Tier	When	Flexibility	Notice Requirements	Who takes it
Tier 1 leave (flexible leave)	Can start the day after the child has received seven days of uninterrupted neonatal care or within 7 days after discharge	Can be taken in non-continuous blocks of at least one week at a time.	For each week of leave, employee must notify the manager before the first day of absence, or as soon as practicable if not possible. Notice does not need to be in writing.	In practice, likely to be taken by the parent who is taking paternity leave e.g child's father or mother's partner, since the mother is likely to be on maternity leave during this period. In adoption cases, it is only likely to be taken during the 'tier 1' period by the parent who is not taking adoption leave. This leave accommodates emergencies and provides flexibility for parents during critical times.
Tier 2 leave (continuous leave)	After Tier 1 ends (more than 7 days after neonatal care stops) and up to 68 weeks after birth.	Must be taken in one continuous block.	For a single week, employee must provide at least 15 days' notice. For two or more consecutive weeks, employee must provide at least 28 days' notice. Written notice required.	In practice, likely to be taken where someone on maternity or adoption leave adds NCL to the end of their maternity or adoption leave, such that they can pre-empt the taking of leave and plan to give advance notice accordingly.

The reduced notice period requirement in tier 1 reflects the fact that it will often be taken in unforeseen and emergency circumstances.

Employees should give written notice in tier 2 of their intention and entitlement to take NCL and receive NCP (if entitled) using the form on the People Services intranet.

For further information on neonatal care leave and pay, refer to the Support for Carers policy or contact your allocated People Consultant.

Returning to work

Preparing for a successful return to work

Laying the foundations for a smooth return early on will facilitate an easier transition back into the workplace after maternity leave. If you have concerns around how you can balance external and work commitments, you should discuss your options with your line manager. It is good practice for you and your manager to meet prior to your return to work date, to discuss your return. A KIT day can be utilised for this purpose.

Conversation checklist:

- ✓ Changes in the general workplace and within the team since you left
- ✓ Options for phased return and flexible working if required
- ✓ If you wish to access any of the council's family friendly schemes
- ✓ Your immediate and long-term career plans; this will help your manager to align your tasks with your plans
- ✓ Key projects, team and individual work plan going forward
- ✓ Check Agresso has been updated to confirm your return to work date
- ✓ Any support that may be required
- ✓ Desk / equipment set up and access to network
- ✓ Availability of breastfeeding facilities

Your manager must complete a risk assessment:

- ✓ If you return to work within 6 months of giving birth and/or
- ✓ if you return and are still breastfeeding

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As a default, CWC will assume that employees will take the 52 week leave entitlement. If you wish to return to work earlier, you should write to your manager, providing at least 8 weeks' notice of your intention to return. If correct notice is not given, your manager may be unable to accept the proposed return date due to

business needs. In such cases, an alternative return date should be agreed that does not extend beyond the 52 week period.

Once the employee's returns to work date is confirmed, the manager/employee should complete the 'Actual Return Date' in Agresso to confirm the return and notify payroll, this would need to be completed before the payroll cut of date. Information on payroll cut off dates can be found here. For example, if an employee is returning from maternity leave and their first date back to work is on 10/10/2022 the employee/manager would need to make sure they have updated Agresso with the employees return date by the payroll cut off for that month, in this example, 05/10/2022, to ensure the employee gets paid correctly. Please note, payroll cut off dates change each year, please check cut off dates before notifying payroll.

If you do not intend to return to work, you should submit your resignation to your manager. The appropriate contractual notice period will apply. You may need to repay some or all of the OMP element of your maternity pay if you do not return to work for a period of 13 weeks on your substantive hours. See policy for further information on what may need to be repaid.

Your manager will need to complete the online leavers form in order to inform People Services, Digital and IT, Facilities and the Hub who will process your resignation.

Options for a phased return to work

Staging your return from leave over a few visits can allow you to keep in touch with your job and identify areas for retraining, work out the most efficient flexible work pattern, reconnect with colleagues and help you feel more confident when you formally return to work.

Options for a gradual return to work include:

- Keeping In Touch (KIT) Days are a great opportunity for a staged return or to attend an ad-hoc meeting and catch up with changes at work. It may be helpful to plan ahead for a few KIT days, to give you time to arrange the logistics and decide what you want to achieve through the KIT day.
- Exercising the right to reduced hours (and pay) for a period of 13 weeks immediately following the end of maternity leave. This period starts the day after your maternity leave ends (or day after the period of neonatal care leave taken at the end of maternity leave, if eligible). Agree a suitable work pattern and re-calculate leave entitlement. If you are on leave following the period of maternity leave, the period of 13 weeks will reduce accordingly however you can still apply to extend the arrangement via the Flexible Working Scheme.
- Extending this arrangement and reduction of working hours under the flexible working scheme for a longer period of time or permanently. The leave calculator can help to calculate how this will affect annual leave entitlement.

The application form should be emailed to your line manager who will respond to your application within 14 days of requesting it.

- Ending maternity leave during the no pay period and opting to take accrued leave either in a block or a few days a week. This can be particularly useful if you want a phased return but don't wish to reduce your pay.
- Purchasing up to an additional 10 days annual leave. Applications for additional annual leave must be submitted no later than the end of month six of your current annual leave year.
- Parental leave – the facility to take unpaid leave for employees who have responsibility for a child, elderly relative or a dependant.
- Requesting unpaid leave if you have exhausted all other options of paid leave.

Work life balance

The council is committed to assisting staff maintain a work-life balance. A number of schemes are in place to help you balance your work and home responsibilities. An overview of the provisions for parents, partners and nominated carers are:

- Time off for ante-natal appointments for the pregnant employee and partner.
- Maternity Leave Scheme - for pregnant employees who are entitled to maternity leave and pay.
- Right to reduce working hours for a period of 13 weeks following maternity leave.
- Maternity Support Scheme - time off for an employee to provide support to a parent following the birth or adoption of their child
- Adoption Leave Scheme - for adoptive parents with the principles based upon the maternity leave scheme.
- Fostering or Guardianship Leave Scheme - for employees who choose to foster children.
- Shared Parental Leave Scheme (SPL) – the facility to share 'maternity and adoption' leave in the first year after a child is born or placed.
- Parental Leave - the facility to take unpaid leave for employees who have responsibility for a child.
- Tax-Free Childcare Scheme - a Government-approved, tax-efficient way of paying for childcare.
- Flexible Working Scheme – the facility to reduce hours.
- Unpaid Leave – option to take unpaid leave where employees may have exhausted other paid leave entitlements.
- Employee Benefits Scheme - access to a range of employee benefits.
- Paternity Leave Scheme - for employees whose partner is pregnant, adopting a child, or having a baby through a surrogacy arrangement.
- Carers Leave – unpaid time off to provide or arrange care for a dependant who has a long-term care need.

Further information regarding any of these schemes is available via;

- Maternity and Paternity Resources
- People Services Customer portal
- or by emailing peoplesupportdesk@wolverhampton.gov.uk

Tax-Free Childcare Scheme

The Government has closed its childcare voucher schemes to new entrants. If you are already receiving childcare vouchers you can continue to receive them as long as the council continues to operate it or until you decide to change your employer. Employees already registered for childcare vouchers must receive at least one voucher in every rolling 12-month period to remain in the scheme.

In its place, is the Government's new Tax-Free Childcare scheme (TFC), which operates like a savings account. Families manage their own account(s) directly and the Government adds a percentage to a set amount paid in. Families are able unable to participate in both schemes and eligibility is based on set criteria. Assuming parents are eligible for both schemes, a very general rule of thumb is that for large families or those with higher childcare costs, TFC may be a better option. The lower the childcare costs, or the smaller the family, childcare vouchers may be the better option.

To find out about all the government's childcare offers visit the Childcare Choices website. If you have any pay related queries you should contact Payroll Services.

Breastfeeding

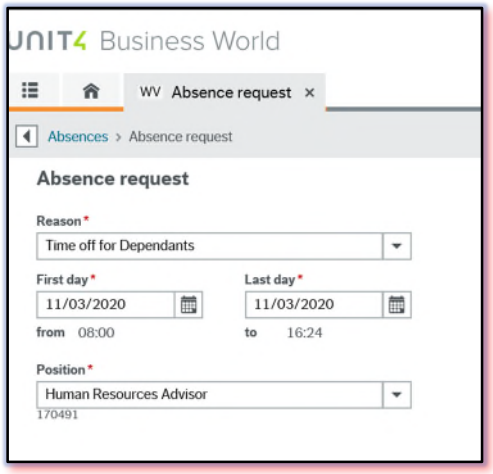
If you are breastfeeding and want to express milk when you return to work then you will need access to a private room. Please speak with your line manager or People Consultant, to discuss suitable arrangements.

Domestic emergencies

In the early days there can be matters, such as problems with settling children into new childcare arrangements, which may require you to be absent from the workplace.

You should consider retaining some of your accrued holiday leave to enable you to deal with these situations. Absence from work to attend to an emergency such as a child being ill or if a nursery is closed can be taken as Time Off for Dependents (TOD) at the discretion of your line manager. This leave is intended to support you to make the necessary arrangements for continued care or attention of a dependent. Please refer to the Leave Policy and Table for eligibility and the definition of

dependent. An employee can be granted up to five days leave with pay in any personal leave year. It is not intended to cover repeated absences for minor problems but rather to deal with exceptional circumstances not known about in advance. Other leave arrangements would need to be considered for any further time off, if required. You (or the proxy user) will need to record any approved TOD on Agresso retrospectively by selecting the appropriate drop-down leave category. Please refer to the Agresso guidance or contact the People Services Support Desk for further assistance.



Agile working should not be used as a replacement for TOD. The ability to work from home or any other location is not a substitute for childcare or similar carer responsibilities. It is your responsibility to ensure adequate provision is in place, should agile working be agreed.

Perinatal depression

Having a baby is a big life event, and it's natural to experience a range of emotions and reactions during and after your pregnancy. But if they start to have a big impact on how you live your life, you might be experiencing perinatal depression.

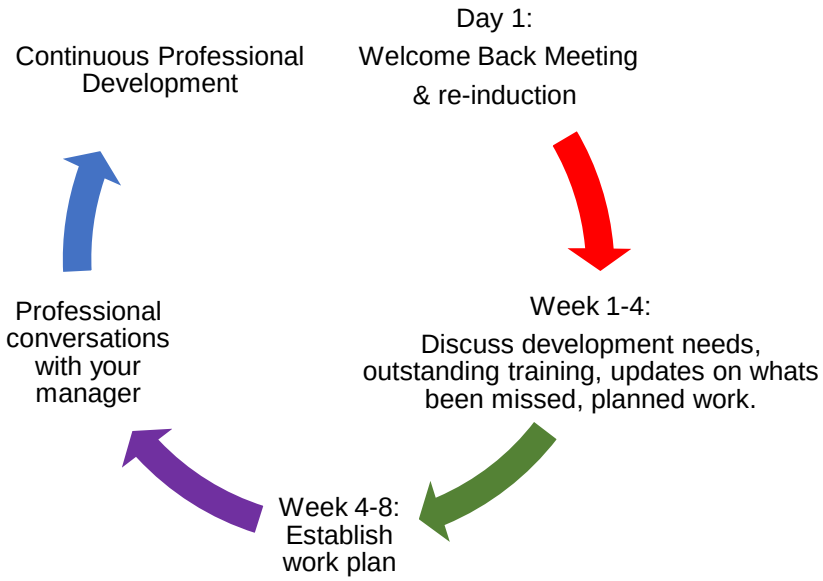
Perinatal depression is not an uncommon issue for pregnant employees; around one in five pregnant employees will experience a mental health problem during pregnancy or in the year after giving birth. This might be a new mental health problem or another episode of a mental health problem you've experienced before. Either way, it can take a lot of courage to talk to your manager and you may wish to speak with your People Consultant or Occupational Health instead.

Other support available includes the council's **Employee Assistance Programme** (EAP) which provides access to professional qualified counsellors. Access to counselling is completely confidential and no-one at work will need to know you have accessed the service. It can be accessed 24 hours a day 7 days a week.

Employee Development

One of the key concerns raised by employees returning from leave is how absence from the workplace may impact their career and how it can take time to re-build confidence and catch up on what's been missed. It may therefore be useful to understand the council's commitment to ensuring development and training needs are addressed and what to expect on your return from leave.

On your return, you should begin a cycle of development and support which should help you settle back into your role. Your line manager will work with you to carry out a re-induction, create a workplan and identify any support you may require. In the first week you are encouraged to complete any mandatory e-learning courses and training which has been identified as essential for your role. These are accessible via the Learning Hub.



Your line manager will hold professional conversations with you where they will discuss how you are settling in, work objectives and planning for any areas of development. This development can take many forms such as training, coaching, mentoring, shadowing or secondments.

Whilst this guide is aimed at providing advice on best practice, it is also dependent on the nature of the service. For example, it is not always practical to conduct individual development reviews, due to the nature of the service or job role and in such instances, employees should refer to the policy or speak with their line manager for further advice.

Internal Resources

There are a number of resources and support networks that you can access for support and to help clarify your maternity benefits and rights including:

People Services

For queries relating to leave, contractual entitlements or any work-related matters or for access to any People policy, guidance or forms.

Tel: 01902 552345 option 1
Email: peoplesupportdesk@wolverhampton.gov.uk
Portal: People Services Customer Portal

Occupational Health

To discuss any health-related concerns. If you wish to speak with Occupational Health, please discuss or request a referral through your line manager.

Employee Assistance Programme (EAP)

To access CWC's counselling and well-being service. No referral required.

Contact helpline on 0800 136 6310, access via the Our People Portal or visit cwc.workplacewellbeing.com directly.

The Hub

For queries relating to pay, pensions or expenses.
Tel: 01902 552345 option 2
Email: payrollservices@wolverhampton.gov.uk
Portal: Payroll Services

Glossary

EWC	– Expected Week of Childbirth
KIT Days	– Keeping in Touch Days
OMP	– Occupational Maternity Pay
SMP	– Statutory Maternity Pay
SPL	– Shared Parental Leave
LEL	– Lower Earning Limit
DWP	– Department of Working Pensions
EAP	– Employee Assistance Programme
PBL	– Parental Bereavement Leave
CWC	– City of Wolverhampton Council
NCL	- Neonatal Care Leave
NCP	- Neonatal Care Pay