



# Maternity Leave and Pay Policy

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The East of England Ambulance Service NHS Trust has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups. This policy applies to all individuals working at all levels and grades for the Trust,

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including senior managers, officers, directors, non-executive directors, employees (whether permanent, fixed-term or temporary), consultants, governors, contractors, trainees, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with the Trust.

All Trust policies can be provided in alternative formats.

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## 1. POLICY STATEMENT

1.1 This document outlines the Maternity Leave and Pay Policy and Procedure for The East of England Ambulance Service NHS Trust (the Trust). The Trust recognises the contributions of its female staff and offers all pregnant employees and new mothers their statutory maternity leave and pay entitlements in line with the NHS Terms and Conditions of Service Handbook, Employment Rights Act 1996, Employment Relations Act 1999, Employment Act 2002, Equality Act 2010 and the Works and Families Act 2006.

1.2 This policy has been written in partnership by management and staff side.

1.3 A glossary of commonly used maternity terms can be found at Appendix

## 2. SCOPE

2.1 This policy applies to all staff employed by the Trust who are pregnant or new mothers and due consideration will be given to issues raised in relation to variations in cultures within the work environment.

## 3. ACCESS TO THE PROCEDURE

3.1 All employees are entitled to access to this policy which is located in the HR Policies and Procedures Folders and/or on the Trust's Intranet. However, if you require this Policy in any other format please seek guidance from the Human Resources Department, your line management or trade union representative.

3.2 Employees and Managers may also wish to consult related Trust policies such as Annual Leave, Flexible Working Arrangements, Special Leave, Paternity Leave, Adoption Leave and Pay and Career Break.

## 4. ROLES AND RESPONSIBILITIES

4.1 The Human Resources Department is responsible for keeping the provisions within this policy in line with employment legislation, best practice people management principles and NHS guidelines.

4.2 Managers, HR staff and Trade Union Representatives are responsible for providing advice and guidance to employees on the application of this policy and procedure.

4.3 Management and Trade Union Representatives are responsible for bringing any mutually beneficial improvements to this policy to the attention of the Trust.

4.4 Employees are encouraged to inform the Trust of their pregnancy, at the earliest opportunity, in order that decisions can be made regarding their health, safety and wellbeing.

4.5 Employees are responsible for obtaining information and advice regarding their entitlements and for providing such information and documentation as is necessary in order to secure these entitlements.

## 5. NOTIFICATION REQUIREMENTS

5.1 Employees are encouraged to inform the Trust of their pregnancy, at the earliest opportunity, in order that decisions can be made regarding their health, safety and wellbeing during pregnancy, such as immunisation status. A risk assessment form will be completed by line managers to aid these decisions (Appendix 6). For example, it may be necessary for front line staff to be temporarily transferred from operational duties.

5.2 In order to receive their entitlements, a pregnant employee is required by law to formally notify the Trust of their intention to take maternity leave. They are required to do this using the Maternity Leave Notification form at Appendix 3 by the end of the 15th week before the expected week of childbirth (EWC) unless this is not reasonably practicable. This is called the 'notification week'.

5.3 It is anticipated that most employees would be able to comply with this requirement unless they have an acceptable mitigating



reason, such as not knowing they were pregnant or serious ill health. Such cases would be looked at on their individual merits.

5.4 The Trust will respond in writing within 28 days of receiving the employee's notice of the date on which they wish to commence maternity leave and their MATB1 form, setting out:

- The employee's paid and unpaid leave entitlements
- Their expected date of return to work
- Any agreed annual leave arrangements
- The need for the employee to give at least 28 days notice if they wish to return to work before the expected return date.

5.5 Once notified, the Trust will invite the employee to a meeting with a member of the Human Resources Department to inform them of the provisions contained within this policy. This is an informal meeting and attendance is voluntary.

5.6 An employee may request to change their maternity leave start date. However, they must advise their manager at least 28 days before their intended new maternity leave start date, unless this is not reasonably practicable, by completing the Change of Maternity Leave Form at Appendix 4.

## 6. MATERNITY LEAVE

6.1 For ease of reference, please use the Maternity Guidance Chart at Appendix 2.

6.2 All pregnant employees, regardless of length of service or hours worked, are entitled to 26 weeks Ordinary Maternity Leave (OML).

6.3 OML can commence at any time from the beginning of the 11th week before the expected week of childbirth (EWC) and the actual day of childbirth provided they give the required notice, which meets the requirement as outlined in paragraph 5.2.

6.4 All of OML and the first 13 weeks of Additional Maternity Leave (AML) attracts some level of pay, unless the employee has earnings of less than the maternity allowance threshold and has not been employed or self-employed for at least 26 weeks in the 66 weeks before their EWC.

6.5 OML and the first 13 weeks of AML pay could be:

- Statutory Maternity Pay (SMP) (see Section 7)
- NHS Contractual Maternity Pay (see Section 8)
- Maternity Allowance (MA). It should be noted that employees are entitled to retain all non wage contractual benefits during both OML and AML. For Lease car users please see section 22.3 below.

6.6 All pregnant employees, regardless of length of service or hours worked, are entitled to 26 weeks Additional Maternity Leave (AML).

6.7 AML begins at the end of OML and generally the first 13 weeks of this may attract statutory maternity pay (see Section 7 below).

## **7. ELIGIBILITY FOR STATUTORY MATERNITY PAY (SMP)**

7.1 A pregnant employee will be eligible for SMP during OML and part of AML, if they satisfy all of the following conditions:

- They have a weekly average earnings (in the eight weeks prior to the notification week) of at least the lower earnings limit for National Insurance Contributions;
- They have met the notification rules as detailed in Section 5 above;
- They continue to be employed up to the start of the notification week;
- They have completed 26 weeks' continuous service at the beginning of the 15th week before the expected week of childbirth (EWC).

7.2 The rate of SMP is as follows:

- 90% of full pay for the first 6 weeks of OML. Full pay is calculated using the average earnings in the eight weeks prior to the last pay day before the notification week.
  - Standard rate SMP or 90% of their average weekly earnings (whichever is the lower) for the remaining 33 weeks.
- 7.3 The employee may choose on which day of the week their SMP starts, unless the maternity pay period is triggered by an early birth or an absence from work because of a pregnancy-related illness (as per Section 13.2).

7.4 If the employee is not entitled to SMP, the Trust will provide them with an SMP1 Form which they should take to a social security office as they may be able to make a claim for Maternity Allowance (MA).

## **8. ELIGIBILITY FOR NHS CONTRACTUAL MATERNITY PAY**

8.1 A pregnant employee will be entitled to NHS Contractual Maternity Pay during OML if they satisfy all of the following conditions:

- They have twelve months continuous service with one or more NHS employer at the beginning of the 11th week before the EWC;
- They have met the notification rules as detailed in Section 5 above, including notification of the date that they wish to start their maternity leave;
- They intend to return to work with the same or another NHS employer for a minimum of 3 months after their maternity leave has ended
- They provide a MATB1 form from their midwife or GP giving the EWC.

8.2 The rate of NHS Contractual Maternity Pay is as follows:

- For the first 8 weeks, full pay less any SMP or MA payable (including any dependents' allowances receivable). Full pay is calculated using the average earnings in the eight weeks prior to the last pay day before the notification week (earnings are based on what is paid and not what was worked)
- For the next 18 weeks, half pay plus any SMP or MA payable (including any dependents' allowances receivable) providing this total does not exceed full pay
- Followed by 13 weeks SMP or MA (including any dependents' allowances receivable).

8.3 By prior agreement with the Trust, it may be possible for NHS Contractual Maternity Pay to be paid in a different way. For example, a fixed amount spread over the entire maternity leave period. Such requests must be made to the Human Resources Department.

## **9. EMPLOYEES NOT RETURNING TO NHS EMPLOYMENT**

9.1 An employee who does not intend to return to work with the same or other NHS employer for a minimum of three months after the maternity leave has ended will be entitled to pay equivalent to Statutory Maternity pay which is paid at 90% of their average weekly earnings for the first six weeks of their maternity leave and to a flat rate sum for the following 33 weeks.

## **10. WITHDRAWING THE RIGHT TO CONTRACTUAL MATERNITY PAY**

10.1 Employees are only entitled to contractual maternity pay whilst they are employed by the Trust. If an employee's employment comes to an end during the qualifying period or during the maternity leave so does the entitlement to contractual maternity pay. An example of this would be if the employee was dismissed. This does not prevent the employee claiming SMP if they have met the qualifying conditions.

## 11. FIXED-TERM CONTRACTS OR TRAINING CONTRACTS

11.1 Employees subject to fixed-term or training contracts who are eligible for NHS Contractual Maternity Pay but whose contract will expire after the 11th week before the EWC will have their contracts extended, so as to allow them to receive 52 weeks paid NHS contractual and statutory maternity pay (as detailed in Section 8.2 above) and the remaining 13 weeks of unpaid maternity leave.

11.2 Employees on fixed-term contracts who do not meet the twelve months continuous service requirement for NHS Contractual Maternity Pay may still be eligible for SMP. Employees should contact the Human Resources Department in this instance.

## 12. KEEPING IN TOUCH ('KIT')

12.1 Before going on maternity leave, the Trust and the employee should discuss and agree any arrangements for keeping in touch during the employee's period of maternity leave. This may include:

- Any voluntary arrangements that the employee may find helpful to help them keep in touch with developments at work and facilitate their return
- Keeping the Trust in touch with any developments that may affect their intended date of return.

12.2 The employee may also request, subject to the agreement of the Trust, to carry out up to 10 days' work (75 hours) during their maternity leave without bringing it to an end or jeopardising their right to maternity pay. Any days of work will not extend the maternity leave period. These cannot be until after the two-week compulsory leave period immediately after the baby's birth. These days can be taken as individual days or block weeks. Where an employee chooses to work less than a full day, e.g. attending for a 2 hour training course, this is classed as using one of their 10 allocated 'KIT' days.

12.3 Employees will be paid equivalent to full pay for actual KIT hours or days worked. Any applicable SMP paid will be off-set against this figure in order that the employee will not be paid more than equivalent to full pay.

12.4 In order to aid the facilitation of 'KIT' days, the Trust will consider the reimbursement of reasonable receipted childcare costs up to a maximum of £40 per day (based on average childcare costs from The Money Advice Service). Each case will be considered on an individual basis by a Senior Manager, who must be a budget holder.

Please note that this may have tax implications.

### **13. SICKNESS ABSENCE**

13.1 Any sickness absence occurring prior to the last four weeks before the EWC, which is supported by a medical statement or self-certificate, will be treated in accordance with normal sick leave provisions. 1

3.2 If an employee is off work ill, or becomes ill, with a pregnancy-related illness during the last four weeks before the EWC then maternity leave will normally commence at the beginning of the 4th week before EWC or the beginning of the next week after the employee last worked, whichever is the later. (Odd days of pregnancy-related illness during this period may be disregarded for the purposes of commencement of maternity leave if the employee wishes to continue working.)

13.3 From the expected date of return to work, normal sick leave provisions will apply as necessary.

### **14. PREMATURE BIRTH**

14.1 Where an employee's baby is born alive prematurely, the employee will be entitled to the same amount of maternity leave and pay as if their baby was born at full term.

14.2 Where an employee's baby is born before the 11th week before the EWC and the employee has worked during the actual week of

childbirth, maternity leave will start on the first day of the employee's absence.

14.3 Where an employee's baby is born before the 11th week before the EWC and the employee has been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start on the day after the day of birth.

14.4 Where an employee's baby is born before the 11th week before the EWC and the baby is in hospital, the employee may split their maternity leave entitlement, taking a minimum period of two weeks maternity leave immediately after childbirth and the rest of their leave following their baby's discharge from hospital.

## **15. STILL BIRTH**

15.1 In the event of a still birth after the 24th week of pregnancy the employee will be entitled to the same amount of maternity leave and pay as if their baby was born alive.

## **16. MISCARRIAGE**

16.1 Where an employee has a miscarriage before the 25th week of pregnancy normal sick leave provisions will apply.

## **17. HEALTH AND SAFETY OF EMPLOYEES**

17.1 Where an employee is pregnant, has recently given birth or is breastfeeding, the Trust should carry out a risk assessment of their working conditions (Appendix 6). If the risk assessment finds (or a medical practitioner considers) that the employee or their child would be at risk if they continued their normal duties, then the Trust should provide suitable alternative work for which the employee will receive their normal rate of pay.

17.2 Where it is not reasonably practicable to offer suitable alternative work, the employee will be suspended on full pay.

17.3 These provisions also apply to an employee who is breastfeeding if it is found that their normal duties would prevent them from



successfully breastfeeding their child. However, the Health and Safety Executive encourages employers to provide a private, healthy and safe environment for employees who are breastfeeding to express and store/refrigerate milk. The Trust will take any reasonably practicable steps to achieve this and will consider flexible working arrangements.

## **18. RETURN TO WORK**

18.1 All employees must take a minimum of 2 weeks compulsory maternity leave immediately after childbirth.

18.2 An employee who intends to return to work at the end of their full maternity leave (on their expected date of return) will not be required to give any further notification to the employer.

18.3 If an employee wishes to return to work before the expected date of return, they must give at least 28 days notice using the Change of Return Date Notification Form (Appendix 5).

18.4 An employee will have the right to return to the same job under the original contract and on no less favourable terms and conditions when returning from OML or AML.

## **19. RETURNING ON FLEXIBLE WORKING ARRANGEMENTS**

19.1 If at the end of maternity leave the employee wishes to return to work on Flexible Working Arrangements, the Trust has a duty to facilitate this wherever possible. All such requests will be considered under the Trust's Flexible Working Arrangements Policy. Should an employee be considering changing their hours on return from maternity leave they should allow sufficient time for the flexible working application form to be processed in good time prior to their return from maternity. The process can take up to 14 weeks to complete.

19.2 If the request is refused, the Trust will provide written, objectively justifiable reasons for refusal and an opportunity to appeal against the decision. A refusal of a flexible working request



does not affect the employee's right to return to their job under their original contract if returning from OML, or to a similar job if returning from AML. Or to return to work on the same pay band and work of a similar nature and status (with the requested reduced hours),

19.3 Under the Flexible Working Arrangements policy, it may be possible to agree a temporary trial period. Should the arrangements not be made permanent at the end of this trial period, the employee will retain their right to return to their job under their original contract, or a similar job if returning after AML, at the end of the agreed period.

## **20. FAILURE TO RETURN TO WORK**

20.1 Any employee who fails to return to work for a total of 3 months for the same or a different NHS employer within 15 months of the beginning of their maternity leave, will be liable to refund the whole of their NHS contractual maternity pay, less any SMP received. If returning to a different NHS employer the Trust will inform them of this financial obligation accordingly and will request that NHS employer to provide evidence to support the compliance of this requirement.

20.2 In exceptional circumstances the Trust may, at its discretion, waive their rights to recovery of NHS Contractual Maternity Pay, where doing so would cause extreme hardship or distress. Authorisation to do this would require the agreement of the Director of Finance.

20.3 For those on fixed-term contracts, where there is no right of return to be exercised because the contract would have expired if pregnancy and childbirth had not occurred, the repayment provisions set out in 18.1 do not apply.

## **21. ANTENATAL AND POST-NATAL CARE**

21.1 Pregnant employees and those who have recently given birth have the right to paid time off for antenatal and postnatal care. Antenatal care may include relaxation and parent craft classes. These rights are subject to conditions, that the employee has made an appointment for antenatal or post-natal care and that the time off has been requested in order to keep the appointment. With the exception of the first appointment, the employee should produce, upon request, an appointment card or letter confirming the date of appointment.

## **22. CONTRACTUAL RIGHTS**

22.1 During both OML and AML an employee retains all of their contractual rights except remuneration.

22.2 Absence on ordinary and additional maternity leave for up to 52 weeks shall not constitute a break in service.

22.3 Employees with a lease car are contractually entitled to retain this benefit during their maternity leave. The employee will still be deducted pay for private use. Should the employee drop to no pay during their maternity leave then the deductions will be accumulated and recovered with higher deductions from pay when they return to work. Blue light users should check with Finance regarding any HMRC rules and tax implications prior to commencing maternity leave.

## **23. ACCRUAL OF ANNUAL LEAVE**

23.1 Annual leave will continue to accrue during all maternity leave, whether paid or unpaid (both OML and AML).

23.2 Where the amount of accrued annual leave would exceed normal carry over provisions, it may be mutually beneficial to both the employer and employee for the employee to take annual leave before and/or after the formal (paid and unpaid) maternity leave period. The amount of annual leave to be taken this way, or carried

over, should be discussed and agreed between the employee and employer. Payment in lieu may be considered as an option where accrual of annual leave exceeds normal carry over provisions.

## **24. INCREMENTS**

24.1 Maternity leave, whether paid or unpaid, shall count as service for annual increments and for the purposes of any service qualification period for additional annual leave. The expectation is that an employee on maternity leave would progress through a gateway/increment as usual unless concerns regarding the ability to meet their roll are outlined prior to maternity leave.

## **25. PENSIONS**

25.1 Pension rights and contributions shall be dealt with in accordance with the provisions of the NHS Pension Scheme.

## **26. POLICY REVIEW**

26.1 This policy will be reviewed on a three yearly basis or amended in the light of new employment legislation and/or relevant case law.

## Appendix 1

### Glossary

AML = Additional Maternity Leave

EWC = Expected Week of Childbirth

MA = Maternity Allowance

Notification Week = The end of the 15th week before the expected week of childbirth

OML = Ordinary Maternity Leave

SMP = Statutory Maternity Pay

## Appendix 2

### Maternity Leave and Pay Entitlements Guidance Chart

#### Entitlement A



You have less than 12 months continuous NHS service by the beginning of the 11 th week before your EWC and ...have met the 15 week notification requirements

#### Entitlement B



You have more than 12 months continuous NHS service by the beginning of the 11 th week before your EWC but ...do not intend to return to work for the NHS for a minimum of 3 months after maternity leave?

#### Entitlement C



You have more than 12 months continuous NHS service by the beginning of the 11 th week before your EWC and ...intend to return to work for the NHS for a minimum of 3 months after maternity leave?

#### Entitlements: OML

- 26 weeks part paid AML
- During OML and part AML you will be entitled to SMP, provided that all other qualifying conditions are fulfilled.
- For this length of NHS service, the entitlement is the same whether or not you intend to return to work

#### Entitlements:

- 26 weeks OML
- 26 weeks part paid AML
- During OML and part AML you will be entitled to SMP, provided that all other qualifying conditions are fulfilled.

#### Entitlements:

- 26 weeks OML
- 26 weeks part paid AML
- During OML + part AML you will be entitled to NHS Contractual Maternity Pay, provided that other conditions are fulfilled.

**Appendix 3**

**Maternity Leave Notification**

Name of employee:	
Job title:	
NHS Continuous Service Start Date:	
<p>(Tick as appropriate).</p> <p>◆ I wish to inform you that I am pregnant and do not intend to return to work after my maternity leave and will therefore leave the Trust’s employment on the last day prior to the commencement of my maternity leave.</p> <p>◆ I wish to inform you that I am pregnant, and it is my intention to return to work for at least 3 months after my maternity leave.</p> <p>I intend to take maternity leave as follows:</p>	
I will be starting my Maternity Leave on:	
My expected date of childbirth is:	
<p>I will forward my MAT B1 form, issued by my doctor/midwife/recognised medical practitioner, confirming the date my baby is due as soon as it is issued to me. (Delete as appropriate)</p>	

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Signed:  
Name (Printed):  
Dated:

**To qualify for maternity leave, you must return this form to your Line Manager no later than the end of the 15th week prior to your expected week of childbirth. Your maternity leave cannot begin prior to the eleventh week before the expected week of childbirth.**

For Line Manager's use only:

Signature of Line Manager: \_\_\_\_\_

Date Received: \_\_\_\_\_

For the Human Resources Department use only:

Date received by HR Dept: \_\_\_\_\_

Meeting arranged for: \_\_\_\_\_

Date letter issued: \_\_\_\_\_

**Appendix 4**

**Change of Maternity Leave Start Date Notification**

Name of employee:	
Job title:	
NHS Continuous Service Start Date:	
I previously notified you that I wished to commence my maternity leave on:	
My expected/actual date of childbirth is/was:	
Signed:	
Name (Printed):	
Dated:	
Please return to your Line Manager at least 28 days prior to the new date on which you wish your maternity leave to commence.	
For Line Manager's use only: Signature of Line Manager:	
_____ Date Received: _____	
For the Human Resources Department use only:	
Date received by HR Dept: _____	
Date letter issued: _____	



**Appendix 5**

**Change of Maternity Leave Return Date Notification**

Signed:	
Name (Printed):	
Dated:	
Please return to your Line Manager at least 28 days prior to the new date in which you wish to return from maternity leave.	
For Line Manager's use only:	
Signature of Line Manager: _____	
Date Received: _____	

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For the Human Resources Department use only:

Date received by HR Dept: \_\_\_\_\_

Date letter issued: \_\_\_\_\_

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**Appendix 6**

**New or Expectant Mothers Risk Assessment**

New Or Expectant Mothers RISK ASSESSMENT			Department	
ACTIVITY: New Or Expectant Mothers				
Name:				
This assessment is designed for individuals who might be harmed:				
	An employee:			
	- Who Is pregnant			
	-Who has given birth within the previous six months (i.e. delivered a living child or, after 24 weeks of pregnancy, a still born child)			
	- Who Is breast feeding			

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HAZARDS (INCLUDING INADEQUATE/LACK OF ARRANGEMENTS)	EXISTING CONTROL MEASURES	II IF IN PLACE X IF NOT (OR N/A IF NOT APPLICABLE)	IF X STATE THE ACTION TO BE TAKEN WITH TIMESCALES OR INDICATE ANY ADDITIONAL CONTROL MEASURES	RESIDUAL RISK RATING HIGH, MEDIUM, LOW
PHYSICAL				
MANUAL HANDLING	Are arrangements in place to avoid the need for hazardous manual handling, including reaching up/over stretching? e.g Lifting Patients Emergency evacuation of patients Furniture/equipment/ stationery etc			
EXPOSURE TO SHOCK/VIBRATION, VIOLENCE / UNPREDICTABLE BEHAVIOUR	Are arrangements in place to avoid exposure to harm due to: -Physical activity - Assisting patients when using equipment etc - Violence e.g. from physical intervention or restraining - Accidental collisions			
IONISING/NON IONISING RADIATION	Has consideration been given to exposure to ionising/non ionising radiation?			

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BIOLOGICAL	Are arrangements in place for the new or expectant mother to avoid contact with: - Hepatitis B or C? - HIV? - Chicken Pox? - German measles? - Rubella (early stages of pregnancy)? -Chlamydia? Has the employee contacted Occupational Health regarding their immunisation status?			
CHEMICAL AGENTS	Has consideration been given to the hazards presented by certain activities?			
WORKING CONDITIONS PERSONAL PROTECTIVE EQUIPMENT				
	Has appropriate personal protective equipment been provided, where necessary?			
OFF SITE VISITS				
	Has consideration been given to: - Capability of the new or expectant mother to carry out supervisory duties e.g. escort duty on transport? -Avoidance of certain off site visits e.g. farms (see also under biological hazards)			

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USE OF VDUs				
	Has the new or expectant mothers' workstation and/or work procedures been adjusted in order to avoid postural problems?			
WORK AT HEIGHT				
	s the use of access equipment e.g. use of step ladders, kick steps, avoided as far as is practicable e.g. access to storage/displays?			
STORAGE				
	Are adequate storage facilities provided?			
RESTING FACILITIES				
	Has the issue of fatigue been considered? Has the new or expectant mother been provided with suitable seating? Has the new or expectant mother access to adequate rest facilities? Are arrangements in place to avoid exposure to passive smoking? Are arrangements in place to avoid any exposure to extreme heat/cold			

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HYGIENE / DRINKING WATER				
	Are adequate welfare facilities (e.g. toilets etc) available? Has the new/expectant mother ready access to clean drinking water?			
LONE WORKING including emergency action				
	Is lone working avoided as far as is practicable? Are suitable arrangements in place for communication in and emergency?			

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HAZARDS (INCLUDING INADEQUATE/LACK OF ARRANGEMENTS)	EXISTING CONTROL MEASURES	II IF IN PLACE X IF NOT (OR N/A IF NOT APPLICABLE)	IF X STATE THE ACTION TO BE TAKEN WITH TIMESCALES OR INDICATE ANY ADDITIONAL CONTROL MEASURES	RESIDUAL RISK RATING HIGH, MEDIUM, LOW
MENTAL / PHYSICAL / WORK RELATED STRESS				
	Are arrangements in place to ensure that the hours, volume and pace of work are not excessive? Are suitable rest breaks provided?			
DRIVING/TRAVELING TO AND FROM WORK				
	Are suitable arrangements in place for the new or expectant mother to avoid: Travelling to/from work during rush hour traffic? Are any driving tasks avoiding where appropriate avoiding any emergency driving? Is night driving avoided where possible? Are sufficient facilities/toilet/water and breaks being provided?			
DRIVING WHILST AT WORK				



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HAZARDS (INCLUDING INADEQUATE/LACK OF ARRANGEMENTS)	EXISTING CONTROL MEASURES	II IF IN PLACE X IF NOT (OR N/A IF NOT APPLICABLE)	IF X STATE THE ACTION TO BE TAKEN WITH TIMESCALES OR INDICATE ANY ADDITIONAL CONTROL MEASURES	RESIDUAL RISK RATING HIGH, MEDIUM, LOW
	Are suitable arrangements in place for the new or expectant mother to avoid: Traveling to/from work during rush hour traffic? Are there any driving tasks that need to be avoided e.g. any emergency driving? Is night driving avoided where possible? Are sufficient facilities/toilet/water and breaks available?			
GENERAL Have all female employees been informed of the risks?				
N.B. It is important that employers identify hazards for ALL FEMALE EMPLOYEES of childbearing age. Where assessments reveal a risk you should				
inform all female employees of childbearing age about the potential risks if they are, or could be in the future, pregnant.				
Are there any other foreseeable hazards associated with activities carried out by the new or expectant mother?				
List any additional control measures				

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LINE MANAGER / ASSESSOR:		SIGNATURE:		DATE:
NEW OR EXPECTANT MOTHER:		SIGNATURE:		DATE:

**New Or Expectant Mothers RISK ASSESSMENT**

Legislation and References

NCC Health and Safety Guidance and Information sheets  
Employment Rights Act 1996, sex discrimination Act 1975, Equal Pay Act 1970 Management of Health and Safety at Work regulations 1999  
Workplace (health, safety and welfare) regulations 1992  
Health and Safety (Display screen Equipment) Regulations 1992  
Noise at work Regulations 1992  
Manual Handling Operations Regulations 1992  
Ionising Radiations Regulations 1999  
Control of Substances Hazardous to Health Regulations 2002  
Control of Lead at Work Regulations 1998

Some Health and Safety Executive guidance:

5 Steps to risk assessment INDG 163 (rev 1) 1997  
COSHH: a brief guide to the regulations INDG 136 (rev1) 1999  
Infection risks to new and expectant mothers in the workplace: a guide for employers 1997  
Ionising radiation, working safely: guidelines for expectant /breastfeeding mother INDG 334 2001  
Manual Handling INDG 14 (rev 1) 2000  
Mercury: medical guidance notes MS12 1996  
New and expectant mothers at work - a guide for employers HSG 122 2002  
Passive smoking at work: INDG 63 (rev 1) 1992  
Violence in the Education sector (second edition) 1997  
Work related stress INDG 281 (rev 1) 2001  
Working alone INDG 73 (rev) 1998



**APPENDIX 7**

**Equality Impact Assessment**

EIA Cover Sheet	
Name of process/policy	Maternity Leave and Pay Policy
Is the process new or existing? If existing, state policy reference number	V7.0
Person responsible for process/policy	Director of People & Culture
Directorate and department/section	Human Resources
Name of assessment lead or EIA assessment team members	EqlA Panel members
Has consultation taken place? Was consultation internal or external? (please state below):	Internal

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The assessment is being made on:	
	Guidelines
	Written policy involving staff and patients
	Strategy
	Changes in practice
	Department changes
	Project plan
	Action plan
	Other (please state)  ToolKit

### Equality Analysis

What is the aim of the policy/procedure/practice/event?

To outline the Maternity Leave and Pay Policy and Procedure for The East of England Ambulance Service NHS Trust (the Trust) in ensuring all pregnant employees and new mothers are offered their statutory maternity leave and pay entitlements in line with the NHS Terms and Conditions of Service Handbook, Employment Rights Act 1996, Employment Relations Act 1999, Employment Act 2002, Equality Act 2010 and the Works and Families Act 2006. To ensure that, for all staff employed by the Trust who are pregnant or new mothers, due

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consideration will be given to issues raised in relation to variations in cultures within the work environment.

Who does the policy/procedure/practice/event impact on?

Race	X	Religion/belief	X	Marriage/Civil Partnership	X
Gender	X	Disability	X	Sexual orientation	X
Age	X	Gender re-assignment	X	Pregnancy/maternity	X

Who is responsible for monitoring the policy/procedure/practice/event?

### Human Resources

What information is currently available on the impact of this policy/procedure/practice/event? Previous impact statements

**Workforce planning reports including ER Data (demographics).**

### WRES

### WDAS

Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? Yes/No

### No

Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, If yes please provide evidence/examples:

Race	X	Religion/belief	X	Marriage/Civil Partnership	X
Gender	X	Disability	X	Sexual Orientation	X
Age	X	Pregnancy/maternity	<input checked="" type="checkbox"/>	Gender re-assignment	X

**ELIGIBILITY FOR STATUTORY MATERNITY PAY (SMP): The Trust is compliant with Statutory Maternity Pay arrangements**

**ELIGIBILITY FOR NHS CONTRACTUAL MATERNITY PAY: The Trust is compliant with NHS Terms & Conditions for Maternity Pay arrangements**

**RETURNING ON FLEXIBLE WORKING ARRANGEMENTS: The Trust provides a process to apply for a flexible return to work following maternity leave.**

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so please provide evidence/examples:

Race	X	Religion/belief	X	Marriage/Civil Partnership	X
Gender	X	Disability	X	Sexual Orientation	X
Age	X	Pregnancy/maternity	X	Gender re-assignment	X

Please provide evidence:

### **Action Plan/Plans–**

#### **SMART**

Specific

Measurable

Achievable

Relevant

Time Limited

**Evaluation Monitoring Plan/how will this be monitored?**

Who

## POL084 - Maternity Leave and Pay Policy

How

By Reported to