

STATUTORY MATERNITY PAY

1. DISCOVERING YOU ARE PREGNANT

Provided the criteria set out at point 3 below are met, all pregnant Employee's regardless of length of service or the hours they work are entitled to:

- paid time off for all ante-natal care
- normal sick pay rights for pregnancy-related sickness
- at least 26 weeks' Maternity Leave payable from Carlton Resource Solutions provided all criteria has been met

2. WHAT IS STATUTORY MATERNITY PAY?

SMP is earnings paid to you by Carlton Resource Solutions in the same manner as your wages are paid to you and will have Tax and National Insurance contributions deducted as per normal. SMP provides you with some money to help you to take time off work before and after the birth of your baby.

3. DO I QUALIFY FOR MATERNITY PAY?

To get SMP you must have been employed by Carlton Resource Solutions:

- without any breaks for at least 26 weeks into the 15th week before the week your baby is due (part weeks count as full weeks)
- into the qualifying week which is the 15th week before the week your baby is due
- have average earning of £84.00 per week. This is called the Lower Earnings Limit for National Insurance Contributions (NI) and is the amount you have to earn to qualify for benefits. You have to earn more than this amount before you actually start paying NI.

4. WHAT HAPPENS IF CARLTON RESOURCE SOLUTIONS SAY I DO NOT QUALIFY FOR SMP?

We will complete and issue you with a SMP1 Form explaining the reason(s) we cannot pay you SMP. Depending on your circumstances you may be able to get [Maternity Allowance](#); you will need to send form SMP1 to your local Jobcentre Plus Social Security office.

5. HOW DO I CLAIM?

You must provide Carlton Resource Solutions with evidence of when your baby is due, this is in the form of your MATB1 Form (Maternity Certificate) that your doctor or midwife will give you. . The earliest this certificate may be issued by your doctor or midwife is 20 weeks before the week in which your baby is due, approximately the 21st week of your pregnancy. You must write to Carlton stating when you want your maternity pay and leave to start, you should do this by the 15th week before your baby is due as Carlton Resource Solutions cannot pay you SMP without this evidence. You can change your mind about the date you wish your SMP to start but you must still give your employer at least 28 days notice of the new date.

6. HOW MUCH SMP WILL I GET?

This amount cannot be calculated until the 25th week of your pregnancy (15th week before your baby is due). The Employee must write to us advising when they wish their SMP to start and they must also send us the MATB1 Form.

- For the first 6 weeks of your maternity leave you will receive 90% of your average weekly Gross Earnings
- The remaining 33 weeks you will be paid whichever rate is the lowest of either the standard SMP rate or 90% of your average weekly earnings.

7. HOW IS SMP CALCULATED?

Carlton Resource Solutions will look at your Gross earnings paid over the eight week period up to and including the 15th week before your expected week of childbirth. The period used by your employer may vary depending on how often you are paid – weekly, fortnightly or monthly.

If you are awarded a pay rise which is effective at any time from the start of the set period used to work out your SMP and the end of your maternity leave your employer must work out your SMP again and pay you any balance due to you.

8. HOW LONG IS IT PAID FOR?

SMP is paid for a continuous period of up to 39 weeks from date of commencement.

9 HOW SOON CAN I START TO GET MY MATERNITY PAY PAID TO ME?

The earliest date that SMP can start is from the 11th week before the week your baby is due and the latest is from the day following the birth of your baby. If you continue to work after the 11th week before the week your baby is due you can choose when you want your SMP to start. This means that your SMP should start from the first day of your maternity leave ie the day after you have stopped work to have your baby.

10. CHANGES THAT WILL AFFECT THE START OF SMP

The start of your SMP will change if:

Your baby is born before the start of the 11th week or before the start of your SMP pay period. If this happens SMP will start from the day following the birth of your baby

You are off sick from work with a pregnancy-related illness at the start of or in the 4 weeks before the baby is due. SMP will start from the day following the first complete day you are off sick from work for that reason.

If you are entitled to SMP and you leave your employment. After the start of the 15th week before your baby is due but before the start of the 11th week, SMP will start from the beginning of the 11th week before the week your baby is due

At any time after the start of the 11th week before the week your baby is due and before the start of your maternity pay period, your SMP will start from the day after you left employment.

11. WHAT ELSE SHOULD I KNOW?

If you have more than one job, you may be able to get SMP from each employer but you will have to talk this over with each of your employers.

If you leave your employment at anytime after the start of the 15th week before the week your baby is due your employer must pay SMP to you if you qualify for it.

If you do not intend to return to work you can still get SMP and you do not have to repay SMP if you decide not to return to work at a later date.

12. I AM ALREADY GETTING SMP, WHAT HAPPENS IF:

a) I return to work for my employer for a day or a few weeks before the end of my SMP?

Women with babies due on or after 1 April 2007 will be allowed to work up to a maximum of 10 days without losing SMP. These days will be called Keeping in Touch days (KIT). If you work for more than 10 days, you will lose one week SMP for each week or part week that you work under your contract for the employer paying you SMP.

This also means that if you work your 10th KIT day and do a further days work in the same week, you will lose SMP for that week, as you would have exceeded the 10 day maximum in that week.

b) I start work in a new job for another employer?

If you start work for a new employer before your baby is born, your SMP is not affected.

After the baby is born, if you work for an employer who did not employ you in the 15th week before your baby was due, your SMP must stop. You must tell the employer paying you.

c) I go to live or visit abroad?

If you are already getting SMP and go abroad, your employer will still pay you SMP.

d) I go into Hospital, a Care Home or start Voluntary Work?

SMP is not affected.

e) I am sent to prison or arrested?

SMP will end.

For further information you may wish to visit the DTI website at:

<http://www.dwp.gov.uk/lifeevent/famchild>.