Maternity leave and return to work

The law protects you against unfair treatment and dismissal because of childbirth or because you have taken maternity leave.

This information sheet looks at your rights during maternity leave and on return to work. It covers:

- discrimination during maternity leave
- rights during maternity leave
- returning to work after maternity leave
- resigning during or after maternity leave
- how to resolve disputes at work, and
- benefits for families.

Your rights during maternity leave:

- all employees have the right to 52 weeks maternity leave with the right to return to work.
- you are entitled to all your contractual terms and conditions during maternity leave, apart from your pay.
- you are entitled to 39 weeks’ maternity pay if you meet the qualifying conditions, see Maternity pay questions.
- you have the right to be offered a suitable alternative vacancy, if one exists, if you are at risk of redundancy during maternity leave.
- you have the right to ask for changes to your hours, days or place of work on return from maternity leave.
- you are protected against unfair treatment, unfair dismissal and discrimination because of pregnancy, childbirth and maternity leave.

Discrimination during maternity leave

What is maternity discrimination?
The law says that it is discrimination to treat a woman unfavourably on the grounds of her pregnancy or maternity leave (Equality Act 2010 s18). To show discrimination on the grounds of pregnancy or maternity leave a woman does not have to compare herself to how a man might have been treated but she must show that the dismissal or unfair treatment was because of pregnancy or maternity leave.

All employees, casual workers, agency workers, freelancers and contractors are protected by discrimination law from day one of their employment.

Employees are also protected against automatic unfair dismissal and detrimental treatment because of pregnancy, childbirth or maternity leave. These rights come from the Employment Rights Act 1996 section 47C and section 99 and the Maternity and Parental Leave etc Regulations 1999, regulations 19 and 20. This rights apply to all employees from day one of your employment.

This information sheet covers discrimination during maternity leave and on return to work. For information on your rights during pregnancy see the information sheet Pregnancy discrimination.

Examples of unfavourable treatment, detriment and automatic unfair dismissal include:

- selecting you for redundancy or dismissal because of maternity leave or because of changes to your job during your absence on maternity leave,
- failing to consult you about a reorganisation, changes to your job or redundancy during maternity leave,
- failing to provide a suitable alternative vacancy if your job is at risk of redundancy during maternity leave (Maternity and Parental Leave Regs 1999, reg. 10),
• making changes to your job that make it substantially less favourable to you,
• refusing training or promotion opportunities,
• reducing your pay or hours without your agreement following maternity leave,
• pressure to resign and
• demotion on return to work.

When does pregnancy/maternity discrimination apply?

You are protected against discrimination on the grounds of pregnancy and maternity leave once your employer knows that you are pregnant until the end of your maternity leave.

You may still be able to claim maternity discrimination once you have returned to work if you can show that the reason for your treatment was because of your absence on maternity leave or it related to a decision taken during your leave or because of your maternity leave.

You should get legal advice. See How to resolve disputes at work below.

I have been dismissed at the start of my maternity leave but my employer says that it is because of poor performance. What can I do?

An employer will rarely admit that an employee has been dismissed for being absent on maternity leave. There will be circumstances when a dismissal during maternity leave may be for fair reasons, such as gross misconduct or persistent poor performance.

Except in the most serious cases of gross misconduct, the employer will be expected to have warned the employee and conducted a disciplinary hearing. However, if the dismissal or detrimental treatment is because of your maternity leave or for reasons connected to your maternity leave, it may be maternity discrimination.

You are entitled to ask for written reasons if you are dismissed at any time during pregnancy or maternity leave. If your employer fails to provide written reasons for your dismissal without a good reason, you can complain to a tribunal and can be awarded up to two weeks' pay in compensation.

If you bring a tribunal claim for automatic unfair dismissal and discrimination during maternity leave, your employer will have to prove that the dismissal or unfavourable treatment was not because of your absence on maternity leave. See How to resolve disputes at work, below.

My employer has sent me a P45 because I have been absent from work without pay for more than three months. Can my employer dismiss me?

If you are an employee you are entitled to maternity leave, with the right to return to the same job, as well as any maternity pay that you qualify for. A policy of issuing a P45 once you have been absent from work without pay for more than three months may be maternity discrimination and/or indirect sex discrimination. This may happen if you are not entitled to SMP and you are receiving Maternity Allowance from the JobCentre Plus instead. You can get further advice from Maternity Action, see Where to go for more help.

If you are an agency worker and you are not receiving SMP from your agency, your agency can issue a P45 once you have been absent from work for more than three months without any pay. This may happen if you are not entitled to Statutory Maternity Pay and are receiving Maternity Allowance instead. You can still sign back on with the agency once you are available for work again.

Agency workers are not entitled to maternity leave i.e. the right to take time off and return to the same job, but may still be entitled to maternity pay. An agency worker may be able to get Statutory Maternity Pay from your agency or you may be able to claim Maternity Allowance from the JobCentre Plus instead. For more information, see Maternity pay questions.

I am on a fixed term contract which will end four months after the start of my maternity leave. What happens to my maternity rights?

You remain entitled to your Statutory Maternity Pay or Maternity Allowance for the remainder of the 39 week maternity pay period, unless you start a new job. If your employer does not pay the rest of your SMP, you can claim it directly from HMRC Statutory Payments Disputes Team on 0300 0560 630, see Where to go for more help below.

Your contractual rights, such as company maternity pay and paid annual leave will end when your contract ends unless you and your employer agree otherwise.

You are entitled to any redundancy pay and notice pay that you qualify for, see: www.gov.uk/fixed-term-contracts/employees-rights

If your fixed term contract is not renewed because of pregnancy or maternity leave, you may have a claim for unfair dismissal, automatic unfair dismissal and/or maternity discrimination. See How to resolve disputes at work, below.

I have been selected for redundancy but I think it is because I am on maternity leave. What can I do?

An employer can make an employee redundant, including a woman on maternity leave, providing the
place of work is closing, there is less work to do or the employer needs fewer employees. Your employer must use fair criteria to select for redundancy and must consult with employees. You must be consulted even if you are absent on maternity leave. Failure to consult a woman on maternity leave about redundancy may be maternity discrimination.

If your job is at risk of redundancy at any time during your maternity leave, you are entitled to be offered any suitable alternative work under regulation 10 of the Maternity and Parental Leave Regulations 1999. You have priority over other employees who are not absent from the workplace on maternity leave and you do not have to attend interviews or selection assessments. If you are not offered any suitable alternative vacancies that exist you may have a claim for unfair dismissal and/or automatic unfair dismissal and maternity discrimination.

If you are selected for redundancy because you are absent on maternity leave, you may have a claim for unfair dismissal, automatic unfair dismissal and/or maternity discrimination. For full information about your rights, see Redundancy during pregnancy and maternity leave.

Rights during maternity leave

My employer has told me that I will not get my car allowance and childcare vouchers during maternity leave.

Under the Maternity and Parental Leave Regulations 1999 employees are entitled to all their terms and conditions of employment, apart from remuneration, during ordinary and additional maternity leave. This means employees are entitled to continue to accrue benefits such as paid annual leave during 52 weeks maternity leave.

It is not always clear what is included as ‘remuneration’ but it should normally mean your basic salary or wages. You are entitled to keep other ‘non-cash’ contractual benefits, such as subscriptions, memberships, lunch vouchers and to accrue annual leave as normal. You are entitled to keep a mobile phone and company car that are provided for personal and business use during your maternity leave.

However, it is possible that a car allowance is considered to be part of ‘remuneration’ and is probably not payable, however, the law is unclear.

Until March 2016 childcare vouchers were regarded as being a non-cash benefit that continued to be payable throughout maternity leave. Childcare vouchers are normally provided as part of a salary-sacrifice scheme, however, employers are not allowed to make any deductions from Statutory Maternity Pay, apart from tax, National Insurance and a few authorised deductions such as pension contributions or trade union subscriptions.

In Peninsula Business Services Ltd v Donaldson, the Employment Appeal Tribunal decided that it is not discriminatory for an employer to discontinue childcare vouchers during maternity leave. The Employment Appeal Tribunal decided that as childcare vouchers are normally provided by salary-sacrifice they form part of an employee’s pay and an employee is not entitled to them during maternity leave.

For more information on help with childcare costs, see: www.familyandchildcaretrust.org/help-your-childcare-costs and: www.gov.uk/help-with-childcare-costs

I am not sure if my employer is paying my maternity pay correctly and I have been told to go into work to collect my maternity pay.

If you are uncertain about your maternity pay you can ask your employer for clarification. If you think that your employer has made a mistake you should talk to your employer. Your employer can get help and advice from the HMRC Employer’s Helpline on 0300 200 3200. If your employer is not paying you the correct amount you should contact the HMRC Statutory Payments Disputes Team, see below for Where to go for more help.

SMP should be paid in the same or similar way as your remuneration was paid and payment of SMP cannot be replaced by payment in kind or by offering board and lodging. You should not have to collect your pay from work if you were not previously paid in that manner and you should not be treated unfairly as a result of being on maternity leave or receiving maternity pay. For more information on dealing with maternity pay problems, see Maternity Pay Questions.

Do I accrue annual leave during maternity leave?

Yes, you continue to accrue annual leave during your maternity leave as if you were still at work. It is up to you to decide when you wish to take your annual leave and you should agree it with your employer in the usual way.

Your annual leave entitlement is based on your current contract of employment. If you are reducing your hours of work after returning to work, e.g. going part-time, your new contract will usually start at the end of your maternity leave unless you and your employer agreed otherwise. This means that your annual leave entitlement will be reduced pro rata from the date of your return to work. This can often mean that you will have a lot of annual leave to use after returning part-time so it is a good idea to talk to your employer about when you will take it.
Example

Sue was working full-time up to the start of her maternity leave. She took 52 weeks maternity leave and was entitled to 30 days annual leave which she continued to accrue during her maternity leave. She returned to work three days a week at the end of her maternity leave and it was agreed that her part-time hours would start at the end of her maternity leave. She had 30 days annual leave to take. She could ask her employer to take a further 10 weeks holiday (taken at three days per week) or she could give notice to end her maternity leave early so that she takes the last month (using 30 days’ holiday) as paid annual leave.

I will not be able to take all of the annual leave I will accrue during my maternity leave because my maternity leave ends shortly before the end of the annual leave year at my work. Will I lose it?

It is very important to discuss with your employer when you will take your annual leave. Ideally this should be done well before your maternity leave. If you have accrued a lot of annual leave by the end of your maternity leave you will need to discuss with your employer when you can take it. You could give notice to end your maternity leave early, if you wish, and take paid annual leave immediately afterwards. You must give at least 8 weeks’ notice to end your maternity leave early and you must agree your annual leave with your employer in the usual way.

Your employer can refuse annual leave where it coincides with a busy time of year or a lot of other employees are taking leave at the same time but they should not refuse to allow you to take annual leave because you are going to take maternity leave or you have been absent on maternity leave, as that may be maternity discrimination.

If you are unable to take all your annual leave in the leave year because of absence on maternity leave, shared parental leave or other types of parental leave, the government advises that employers should allow you to carry forward some or all of your leave to the next leave year, see www.gov.uk/holiday-entitlement-rights/calculate-leave-entitlement.

If you are not allowed to carry forward your annual leave you should seek legal advice as soon as possible as there are strict time limits for making tribunal claims. See How to resolve disputes at work below.

Am I entitled to take Bank Holidays and other fixed holidays that fall during my maternity leave when I get back to work?

All employees are entitled to 28 days statutory annual leave. If your employer provides 28 days annual leave, including Bank Holidays, your employer should allow you to take paid holiday at another time, as the European Court of Justice case of Gomez said that a woman is entitled to take her statutory annual leave as well as her maternity leave. This may also apply to fixed holidays that are part of your statutory annual leave entitlement but the law is not clear and you may wish to seek further advice.

If you are entitled to 28 days annual leave, plus Bank Holidays, you should check your contract or maternity policy to see if you are allowed to take Bank Holidays or fixed holidays that fall during maternity leave at another time. If your employer allows employees who are sick on a bank holiday to take a day off in lieu, they should also allow women on maternity leave to do the same, as it could be discriminatory not to.

NHS employees in Scotland and Northern Ireland

As a result of cases brought by CSP and UNISON, NHS employees in Scotland and Northern Ireland are entitled to accrue Bank Holidays as well as annual leave during maternity leave so that they can take their public holidays once they return to work, see http://www.csp.org.uk/news/2015/08/03/csp-gains-landmark-victory-maternity-leave-case?utm_source=dvr.it&utm_medium=twitter.

In Scotland, NHS employees who have taken maternity leave since 2008 are entitled to backdated annual leave, http://www.unison-scotland.org.uk/news/2013/mayjun/0606b.htm

My employer has changed aspects of my job since I went on maternity leave and I feel that I am being sidelined. What can I do?

Unfavourable treatment can include a wide range of behaviour, such as reducing an employee’s workload or refusing certain projects or clients. If your employer has made changes to your job that are to your detriment, for example, you are selected for redundancy, you may have a claim for pregnancy or maternity discrimination, unfair dismissal and/or detrimental treatment.

Your employer may be cutting work for other reasons, for example, a genuine downturn in the work available, so it is a good idea to speak to your employer informally at first to try to resolve it.

If necessary, you can write to your employer, your HR department or a senior manager and ask for a meeting to discuss it further. If you are in a union you should speak to your local representative or you can get legal advice from the union’s legal department.
You should continue talking to your employer for as long as possible to try to resolve things. Try to keep it friendly and constructive, focusing on solutions and trying to find a way forward, rather than going over what has gone wrong.

If it is not possible to resolve it, as a last resort, you can use your employer’s grievance procedure if you want to complain about the way you have been treated. If you are thinking of making a claim in an employment tribunal you must contact ACAS first for Early Conciliation. You must start a claim within three months (less one day) from the act you are complaining about.

In some circumstances, if your employer’s conduct is so bad that you feel unable to continue working, you could resign and claim constructive dismissal but you should get legal advice first as these can be difficult cases to bring.

Case study
Following her return from her first maternity leave, Mrs A found that her job had been changed and her responsibilities eroded. A colleague was then brought in to co-head her team and was gradually allocated more and more of her responsibilities.

Mrs A was ultimately made redundant when she was on her second maternity leave. She started a claim in an employment tribunal and reached a settlement with her employer following mediation.

Returning to work

What is the minimum amount of maternity leave I have to take?
You must take at least two weeks off work after your baby is born. This is called compulsory maternity leave. You must take at least four weeks compulsory leave if you work in a factory. Otherwise, it is up to you to decide how much leave you wish to take. If you do not wish to take the full 52 weeks maternity leave, you must give at least 8 weeks’ notice that you are returning to work early. If you do not give 8 weeks’ notice and you return to work, your employer is entitled to refuse to pay you until the 8 week notice period has ended.

What are my rights on return from ordinary maternity leave (OML)?
If you only wish to take 26 weeks OML, you must give your employer at least 8 weeks’ notice to return to work early. You are entitled to return to exactly the same job on the same terms and conditions if you return during or at the end of your OML period. If you are not allowed to return or you are not given your old job back you may have a claim for unfair dismissal and/or maternity discrimination. If your old job has changed for the worse you may have a claim for detrimental treatment or you may be able to resign and claim constructive dismissal but you should get advice first as these are difficult claims to bring.

If you have returned to work early, you and/or your partner may be able to take shared parental leave and pay if you need more time off. Shared parental leave must be taken within a year of the birth. For more information, see Shared parental leave.

What are my rights on return from additional maternity leave (AML)?
If you return to work during or at the end of AML you are entitled to return to exactly the same job but if your employer can show that it is not reasonably practicable for you to return to the same job, you are entitled to be offered a suitable alternative job on similar terms and conditions.

Your employer must prove that it is not reasonably practicable for you to return to your old job. For example, it is likely to be unfair dismissal and/or maternity discrimination if your maternity cover is kept on in your role or some of your responsibilities have been given to your colleagues and you are offered an alternative job. If you are offered a different job on return from maternity leave or changes are made to your terms and conditions, you should get legal advice.

You may have a claim for maternity discrimination if you were not consulted about changes to your job that were made because of redundancy or a reorganisation or if changes to your job were made because you were absent on maternity leave. If your role is at risk of redundancy at any point during your maternity leave, you are entitled to be offered a suitable alternative vacancy if one is available, see Redundancy during maternity leave for more information.

What happens if I am not well enough to return to work after maternity leave?
You are entitled to take sick leave if you are not well enough to return to work after maternity leave and you should provide a sick note and follow your employer’s normal sickness reporting procedures.

If you normally receive full pay during sick leave, you are entitled to sick pay as normal. If your employer pays Statutory Sick Pay, you may not qualify for SSP immediately after unpaid additional maternity leave, see: www.gov.uk/statutory-sick-pay

For more information, see Sickness during pregnancy and maternity leave.

What can I do if I am treated unfairly after
returning to work?

If you are made redundant after returning to work in order to avoid the duty to offer suitable alternative work to women on maternity leave or you are dismissed or made redundant because of changes to your work during your maternity leave or for reasons related to your maternity leave, you should get legal advice as you may have a claim for automatic unfair dismissal and/or maternity discrimination.

Case study

Upon return from maternity leave, Mrs B was told that her job had been made redundant and that a new job had been created which she would have to apply for. In fact, the new job was almost identical to the one she had been doing but she was told that she had to compete for it, alongside her maternity cover. She felt that her employer was trying to find a way to keep her maternity cover instead of Mrs B. Mrs B made a tribunal claim against her employer. Her employer settled her claim before a tribunal hearing.

Do I have any rights if I wish to continue breastfeeding on return to work?

You are entitled to protection from health and safety risks if you are breastfeeding on return to work. You should notify your employer in writing that you are breastfeeding and your employer should take reasonable action to remove any health and safety risks. For more information, see Breastfeeding on return to work.

I have asked if I can return to work part-time after maternity leave but my employer has told me I will have to take a less senior job. What are my rights?

You have the right to return to your old job on the same terms and conditions as before. If you need to change your hours, days or place of work after maternity leave e.g. to go part-time or work partly from home, you must make an ‘application for flexible work’. You should make a written application and consider carefully how you think the new arrangement will work so that you can negotiate the change with your employer. Your employer may have their own form for requesting changes or you can use the Government form here: www.gov.uk/government/publications/the-right-to-request-flexible-working-form

Your employer must seriously consider how you can do your current job on a part-time basis and can only refuse for certain business reasons. Your employer is expected to hold a meeting to discuss your request and you have the right to appeal if your request is refused. You are entitled to a final decision within three months of your application so it is important to allow plenty of time. If your employer refuses without a good business reason you should get advice as this may be indirect sex discrimination.

If you and your employer agree that it would be difficult to do your current job in the way that you are asking, you may have to decide whether to return to your old job on the hours you were doing before your maternity leave or you could discuss with your employer whether there are more suitable jobs available, however, in these circumstances you may need to accept changes to your role or to your terms and conditions.

For more information on flexible work and what to do if your request is refused, see Child-friendly working hours.

Resigning during or after maternity leave

I have decided not to return to work. What should I do and what am I entitled to?

You should resign in the normal way, giving the notice period stated in your contract. If there is no agreed notice period at your work you should give at least one week’s notice.

If you resign during your maternity leave, you do not have to go into work to ‘work’ your notice, you can remain on maternity leave. But if you resign after the end of your maternity leave, you should work your notice unless you have agreed to take annual leave or you need to take sick leave.

You are entitled to receive your Statutory Maternity Pay or Maternity Allowance for the full 39 week period, even if you resign before the end of the maternity pay period. You do not have to repay any Statutory Maternity Pay or Maternity Allowance. Your employer claims it back from HM Revenue and Customs and it is yours to keep. If your employer paid you extra contractual maternity pay, over and above your SMP or MA, you only have to pay the extra contractual maternity pay if it was agreed in advance or stated in your employer’s maternity policy. You continue to accrue all your contractual benefits, apart from remuneration, during maternity leave so you are entitled to continue to receive any contractual benefits until the date your contract of employment comes to an end i.e. at the end of your notice period. Your annual leave continues to accrue until the end of your contract, so you are entitled to payment for any annual leave that you have not yet taken that has accrued up until the end of your employment. For more information, see Resigning during pregnancy or maternity leave.

How to resolve disputes at work

What can I do if I have been treated unfairly during or after maternity leave?
If you think that you have suffered unfavourable treatment as a result of being on maternity leave, you should obtain legal advice as soon as possible.

It is important to try to resolve it amicably by talking to your employer informally. You could ask for a meeting to discuss any problems at work. Try to keep it friendly and constructive and focus on solutions, rather than going over what has gone wrong. It may help to give your employer information on your rights or to set out your concerns in writing. It may also be a good idea to talk it through with your union, your HR department or a more senior manager.

If you are dismissed during pregnancy or maternity leave you are entitled to written reasons.

If you have been unable to resolve it informally or by talking to your employer, you can use your employer’s grievance procedure as a last resort but it can often be harder to resolve it once you have raised a complaint, especially if you are hoping to return to work after maternity leave. There are strict time limits for making discrimination and unfair dismissal claims. The tribunal must usually receive a claim within three months, less one day, from the date of the act you are complaining about.

If you want to make a claim in an employment tribunal you must contact ACAS Early Conciliation on 0300 123 11 00 first and you must make sure that you contact ACAS before the end of the three month time limit. You may be able to take the matter to mediation or to negotiate with your employer before your case reaches a tribunal hearing.

You will need to have worked for your employer for two years to claim ordinary unfair dismissal but you can claim discrimination and automatic unfair dismissal on the grounds of pregnancy and maternity leave from day one of your employment.

If your employer has not paid any or all of your Statutory Maternity Pay, you can claim it from HMRC Statutory Payments Disputes Team on 0300 0560 630, see Where to go for more help below.

See the information sheet, *Dealing with problems at work*, for more on how to negotiate with your employer and how to bring a claim in a tribunal.

**Benefits for families**

**Are there any other benefits I can claim?**

Once your baby is born you can claim Child Benefit. Families in receipt of child benefit will be subject to a high earner child benefit charge if one or more parent earns over £50,000.

If you are already claiming Child Tax Credit and/ or Working Tax Credit you may be able to claim an additional amount for a new baby. You should get advice before making a new claim for Universal Credit as you cannot go back onto tax credits and you may be worse off on Universal Credit. For more information contact the Tax Credit Helpline on 0345 300 3900 or see: [www.gov.uk/child-tax-credit/already-claiming](http://www.gov.uk/child-tax-credit/already-claiming)

You may be able to claim Universal Credit if you are on a low income or you have a new baby and you are not receiving Child or Working Tax Credit. For more information on Universal Credit, see: [www.gov.uk/universal-credit](http://www.gov.uk/universal-credit)

For an online calculator, see [www.betteroffcalculator.co.uk](http://www.betteroffcalculator.co.uk)

If you or your partner are receiving Income Support, income-based Jobseekers Allowance, Child Tax Credit or Universal Credit, you may be entitled to a Sure Start Maternity Grant of £500 for your first child (or if there are no other children aged under 16 in your family) or first multiple birth. Claim on form SF100 (Sure Start), available from Jobcentre Plus offices, from 11 weeks before the baby is due until 6 months after the birth.

For more information about benefits for families, see [Money for Parents and Babies](http://www.maternityaction.org.uk/). This information sheet was written in March 2019. It is very important to get up-to-date advice as law and guidance changes. This guide is for information purposes only and should not be treated as legal advice. You are strongly advised to get personal legal advice about the individual circumstances of your case.

**Where to go for more help**

**Maternity Action**

For information on maternity and parental rights at work and benefits, see: [www.maternityaction.org.uk](http://www.maternityaction.org.uk)

Maternity Rights Advice Line:

Nationwide (except London) - 0808 802 0029

London - 0808 802 0057

For opening hours see: [https://maternityaction.org.uk/advice-line/](https://maternityaction.org.uk/advice-line/)

**ACAS**

For advice on employment rights or for Early Conciliation if you are thinking of making a tribunal claim [www.acas.org.uk](http://www.acas.org.uk)

Helpline: 0300 123 11 00 (offers telephone interpreting service)
Citizens Advice

For information about your rights and to find details of local advice bureau www.citizensadvice.org.uk

Factsheets available in English, Welsh, Bengali, Gujarati, Punjabi, Urdu and Chinese

Citizens Advice is currently developing a national advice phone service. If you live or work in Wales call 03444 772 20. For England, call 03444 111 444 or check your local bureau’s contact details as it is not available in all areas yet.

Civil Legal Advice

If you are eligible for legal aid you can get free legal advice on 0345 345 4 345 (offers translation service). To check your eligibility see www.gov.uk/civil-legal-advice.

To search for specialist legal advisers or solicitors in your area see: find-legal-advice.justice.gov.uk

Equality Advisory Support Service

Help and advice on discrimination and human rights www.equalityadvisoryservice.com

Helpline: 0808 800 0082 Mon – Fri 9am – 7pm, Sat 10am – 2pm

Textphone: 0808 800 0084

Equalities and Human Rights Commission (EHRC)

For information and advice about discrimination law www.equalityhumanrights.com

For information for employees and employers about pregnancy and maternity rights in the workplace see www.equalityhumanrights.com/about-us/our-work/key-projects/managing-pregnancy-and-maternity-workplace

GOV.UK

The government’s online information service www.gov.uk

Jobcentre Plus

To make new telephone benefit claims or request claim forms, including Maternity Allowance and Sure Start Maternity Grant: 0800 055 6688 Mon – Fri 8am – 6pm

For ESA/JSA/Income Support claims: 0800 169 0310 Mon – Fri 8am – 6pm

For Maternity Allowance claims: 0800 169 0283 Mon – Fri 8am – 6pm

For Sure Start Maternity Grant claims: 0800 169 0140 Mon – Fri 8am – 6pm

Universal Credit helpline - if you cannot make an online claim: 0800 328 9344 Mon – Fri 8am – 6pm

Universal Credit helpline – for new claims and existing online claims: 0800 328 5644.

HM Revenue and Customs

Tax Credit Helpline: 0345 300 3900 Mon-Fri 8am-8pm, Sat 8am-4pm, Sun 9am-5pm

ChildBenefit: 0300 200 3100 Mon-Fri 8am-8pm, Sat 8am-4pm

For queries about Statutory Maternity Pay, Adoption Pay, Paternity Pay and Shared Parental Pay:

Employees helpline 0300 200 3500

Employers helpline 0300 200 3200

For detailed guidance for employers on SMP, SAP, SPP and Statutory Sick Pay see www.gov.uk/government/collections/statutory-pay

HMRC Statutory Payments Disputes Team

For payments of Statutory Maternity Pay/Adoption Pay/Paternity Pay/Shared Parental Pay or Statutory Sick Pay when your employer is insolvent or refusing to pay: 0300 0560 630

Insolvency Service Helpline

What you can claim when your employer goes out of business: www.gov.uk/your-rights-if-your-employer-is-insolvent/claiming-money-owed-to-you

National Insolvency Unit Helpline 0300 678 0015/0017

Companies House 0303 1234 500

Redundancy payments enquiry line 0330 331 0020

Turn2us

Online benefits calculator and grant search www.turn2us.org.uk

Working Families

For information and advice on benefits and rights at work www.workingfamilies.org.uk Helpline 0300 012 0312

Your Employment Settlement Service

For advice and help with settling disputes at work, including 15 minutes free advice www.yesslaw.org.uk

Tel. 020 3701 7530/7531

More Maternity Action information sheets

Rights during pregnancy and maternity leave

Pregnant at work

Time off for antenatal care

Pregnancy discrimination

Discrimination during maternity leave and on return to work

Resigning during pregnancy and maternity leave

Keeping in touch days

Pregnant during maternity leave (when you are expecting again)

More than one job – your maternity rights and benefits

Shared parental leave and pay

Time off for working parents

www.maternityaction.org.uk Company no. 6478568 Charity reg. no. 1128776
Maternity Action Information Sheet  9

Premature births – rights to maternity leave and pay

Miscarriage, stillbirth and neonatal death – rights to time off and pay for parents

Maternity and parental rights for self-employed parents

Maternity pay and benefits
  Maternity pay questions

Money for parents and babies

Benefit and tax credit rates

Asking to change your working hours or go part-time
  Child-friendly working hours

Redundancy, dismissal and discrimination
  Dealing with problems at work

Redundancy during pregnancy and maternity leave

Redundancy – additional questions

Pregnancy discrimination

Discrimination during maternity leave and on return to work

Health and safety, breastfeeding and sickness
  Sickness during pregnancy and maternity leave

Health and safety during pregnancy and on return to work

Postnatal depression and depression during pregnancy – your maternity rights and benefits

Breastfeeding on return to work

Breastfeeding while out and about

Childbirth injuries – rights at work and benefits for new mothers

Apprentices, agency workers and zero hours contracts
  Apprentices – maternity rights and benefits

Agency workers – maternity rights and benefits

More than one job – your maternity rights and benefits

Zero hours contracts – maternity and parental rights

Fathers and partners, including same sex partners
  Rights at work for fathers and partners

Shared parental leave and pay

Maternity and parental rights for self-employed parents

Time off for working parents

Child-friendly working hours

Dealing with problems at work

Adoption or surrogacy
  Adoption leave and pay – rights for parents

Surrogacy arrangements – time off and pay for parents

Shared parental leave for adoptive parents

Coming from abroad – maternity rights and benefits
  Indefinite leave to remain, right of abode and UK citizens – maternity rights and benefits

Charging for NHS maternity care
  NHS care for women from abroad (England)

  NHS care for women from abroad (Scotland, Wales and Northern Ireland)

  Indefinite leave to remain, right of abode and UK citizens – entitlement to NHS maternity care

Polish language guides to maternity and parental rights
  Ciaza i uprawnienia macierzynskie dla pracownic z Polski

Pregnancy and maternity rights for Polish workers (in English)
  Karmienie piersia w miejscach publicznych

Breastfeeding in public places (in English)

Uprawnienia w pracy dla ojcow i partnerow polscy pracownicy

Rights at work for Polish fathers and partners (in English)

Spanish language guides to maternity rights and benefits
  Derechos por embarazo y maternidad de las mujeres trabajadoras de habla hispana
Pregnancy and maternity rights for Spanish speaking workers

Informe para mujeres de habla hispana sobre ayudas económicas para progenitores y bebés

Money for parents and babies for Spanish speakers (in English)

Portuguese language guides to maternity rights and benefits

Gravidez e direitos de maternidade para trabalhadoras que falam portugues

Pregnancy and maternity rights for Portuguese speaking workers (in English)

Auxilio financier para país e bebês que falam português

Money for parents and babies for Portuguese speakers (in English)

Available at www.maternityaction.org.uk