

# Statutory Payments

## Statutory Maternity Pay (SMP)

### Am I eligible for SMP?

To claim Statutory Maternity Pay (SMP) the following requirements must be met:

- Be employed by PayStream continuously for at least 41 weeks before the expected week of childbirth
- Have given 28 days' notice of the day you wish to start your maternity leave and have sent in your MATB1. Failure to comply within this notice period may lead to a delay in Maternity Payments.
- Be employed by PayStream up to the date of birth
- Earn at least £120 a week (before tax)

### What documents are needed to assess my SMP claim?

In order to assess if you are eligible for Statutory Maternity Pay we will need an original copy of a MATB1 form. A MATB1 form can be obtained from your midwife approximately 20 weeks into the pregnancy. We will also need to be notified of the date you wish to start your maternity leave.

### What/when can I claim?

- Maternity Pay can be claimed up to 39 weeks
- Your Maternity Pay can be paid up to 11 weeks before your baby's due week but only if you have ceased work
- Maternity must be taken consecutively and cannot be taken in conjunction with any other payment e.g. work outside of KIT days, holiday, SSP etc

### What happens next?

After assessing your SMP claim you will be either eligible or non-eligible.

**Non-eligible:** If you are not entitled to SMP pay we will fill out an SMP1 form which you may use to claim support from alternative sources e.g. Maternity allowance from your local Jobcentre Plus office. Information on maternity allowance can be viewed at: <https://www.gov.uk/maternity-allowance/overview>.

**Eligible:** If you are eligible for SMP it will be paid at 90% of your average weekly earnings for the first 6 weeks. For the remaining 33 weeks you will be paid at either £151.97 per week (subject to change) or 90% of your average weekly earnings (you will be paid at whichever is the lowest amount).

Please be aware that SMP is subject to Tax and National Insurance.

### What if I do not wish to take my paternity leave or wish to change the amount of weeks?

If you no longer wish to take your maternity leave or wish to change the start date you will need to send an email to [mail@paystream.co.uk](mailto:mail@paystream.co.uk) informing PayStream of this change 1 week before payment is due to be paid.

### What happens in the case of a miscarriage or death of the child?

Maternity pay can still be claimed if the baby is:

- Stillborn from 24 weeks of pregnancy.
- Born alive at any point of the pregnancy.