

Dear

FREEDOM OF INFORMATION – MATERNITY LEAVE POLICY

I write in response to your request for information in relation to paid maternity leave for doctors.

Question:

1. Please provide information on whether any doctors who have transferred from a General Medical Services (GMS) practice into employment within NHS Lothian, and who have been employed by NHS Lothian for less than 12 months at the start of their maternity leave, have been awarded or received occupational maternity pay. This is for doctors who have made a voluntary move, not doctors transferred under TUPE regulations.

If available, please include: a) The number of such cases, if any; b) any policies, procedures, or guidance that set out the criteria for awarding occupational maternity pay in these circumstances.

Answer:

Information on the number of doctors who have moved from a GP practice into a new role in NHS Lothian and have received maternity pay is not collected centrally. Information may be held in individual staff records, but in order to provide the information you request it would be necessary to review each record over the period you have specified, requiring significant resources. Under section 12 of the Freedom of Information (Scotland) Act 2002, NHS Lothian is not required to respond to your request if the resources required to do so equate to more than £600 in cost.

The NHS Scotland Maternity Policy can be accessed at the following link:
<https://workforce.nhs.scot/policies/maternity-policy-overview/maternity-policy/#maternityleaveentitlement10>

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the

Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/appeal>. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the reviewer at the address at the top of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI>

Yours sincerely

ALISON MACDONALD
Executive Director of Nursing Midwifery and AHPs
Cc: Chief Executive