

## Common Forms Of Pregnancy And Maternity Discrimination - What to do if it happens to you.

### Pregnancy discrimination

This page contains information on:

1. [Pregnancy discrimination](#)
2. [Time off for antenatal care](#)
3. [Health and safety during pregnancy](#)
4. [Sick leave during pregnancy](#)
5. [How to resolve disputes at work](#)

#### June 2022

The law protects you against unfair treatment and dismissal because of your pregnancy. This information sheet looks at your rights during pregnancy and what you can do if you are being discriminated against at work.

#### Your rights during pregnancy:

- ✓ You have the right to health and safety protection for you and your baby.
- ✓ You have the right to reasonable paid time off for your antenatal care.
- ✓ You are protected against unfair treatment and unfair dismissal because of your pregnancy.

All employees have the right to 52 weeks maternity leave and you may qualify for maternity pay.

### Pregnancy discrimination

#### What is pregnancy discrimination?

The law says that it is pregnancy discrimination to treat a woman unfavourably because of her pregnancy or pregnancy-related illness.

Examples of pregnancy discrimination could include:

- selection for redundancy because of your pregnancy or pregnancy-related illness,
- refusing to extend your contract during or after a probation period,
- dismissal because of pregnancy or non-renewal of a fixed-term contract,
- refusal of a job offer, training or promotion opportunities,
- reduction in pay or hours,
- pressure to resign, and

- failure to remove risks at work and take action to protect your health and safety during pregnancy.

To show pregnancy/maternity discrimination you do not have to compare yourself to a man or a woman who is not pregnant but you need to show that the treatment was *because of your pregnancy or absence on maternity leave.*

All employees, casual workers, agency workers, freelancers and contractors are protected against pregnancy and maternity discrimination from day one of your employment.

## **This is what the law says about pregnancy and maternity discrimination at work**

*Equality Act 2010, section 18,*

(2) A person (A) discriminates against a woman if, in the protected period in relation to a pregnancy of hers, A treats her unfavourably —

- (a) because of the pregnancy, or
- (b) because of illness suffered by her as a result of it.

Employees are also protected against detrimental (unfair) treatment or automatic unfair dismissal because of pregnancy or maternity leave (Employment Rights Act 1996 s99 and Maternity and Parental Leave etc Regulations 1999 reg. 19). This protection applies to employees only from day one of your employment.

This information sheet covers discrimination during pregnancy. You are also protected against discrimination because you are taking or have taken maternity leave. For information on maternity discrimination and your rights during maternity leave and on return to work, see the 'Know Your Rights' found on the support page.

The Equalities and Human Rights Commission conducted a formal investigation into pregnancy discrimination in 2015. Their final report found that 54,000 women a year are forced out of their job because of pregnancy discrimination, one in five mothers experienced harassment and negative comments because of their pregnancy and 10% of mothers were discouraged from taking time off for their antenatal care.

The main areas of unfair treatment during pregnancy were found to be denial of a pay increase, refusal of promotion, having to take lower-paid work, being excluded from training and refusal of time off for ante-natal care.

Women involved in the in-depth interviews experienced a wide range of negative treatment at work, ranging from more subtle changes in the attitudes of their colleagues and employers, to unfair selection for redundancy, dismissal, denial of promotion opportunities and sexual and verbal harassment. Many also reported enforced changes to their job during pregnancy.

The report is available at: [www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-](http://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-)

## The 10 most common forms of discrimination are:

- Singling out pregnant employees or new mothers for redundancy
- Mishandling requests for flexible working
- Inappropriate comments about pregnancy
- Health & Safety breaches
- Penalising a woman who is off sick during pregnancy
- Failure to communicate with an employee on maternity leave
- Failure to pay an employee on maternity leave properly
- Failure to allow an employee to return to their original role following maternity
- Failure to allow a new mother the same opportunities
- Basing a recruitment decision on an employee's pregnancy or family plans

### When does pregnancy discrimination apply?

The protected period applies throughout pregnancy until the end of your maternity leave period (up to 52 weeks or until you return to work, if earlier). In most cases you will need to show that you told your employer about your pregnancy or they had become aware of it.

If you are not employee or you are not entitled to maternity leave, for example, if you are an agency worker, the protected period ends two weeks from the date of childbirth.

### This is what the law says about the protected period for pregnancy/maternity discrimination

*Equality Act 2010, section 18,*

(6)The protected period, in relation to a woman's pregnancy, begins when the pregnancy begins, and ends—

(a) if she has the right to ordinary and additional maternity leave, at the end of the additional maternity leave period or (if earlier) when she returns to work after the pregnancy;

(b) if she does not have that right, at the end of the period of 2 weeks beginning with the end of the pregnancy.

After the protected period for pregnancy/maternity discrimination, you may be able to claim sex discrimination if you can show that you were treated less favourably on the grounds of your sex or treated less favourably than a man would have been treated in similar circumstances.

## **Do I have to tell my employer that I am pregnant?**

It is entirely up to you to decide when you want to tell your employer and colleagues about your pregnancy. You may want to wait until you have had your first scan and told family and friends. You are not required to tell your employer, or a future employer, that you are pregnant in an interview or while you are on probation. Unfortunately pregnancy discrimination is common and it can be hard to prove that a dismissal, redundancy or other unfavourable treatment is because of your pregnancy so you should think carefully about when is the best time to tell your employer and colleagues.

Legally, you do not have to tell your employer that you are pregnant until the 15<sup>th</sup> week before your baby is due (which is when you need to give notice to take maternity leave) – although it may be obvious by then anyway.

You will need to tell your employer earlier if you are concerned about health and safety risks at work or to take paid time off for antenatal care. You should also bear in mind that you are only likely to have protection against pregnancy discrimination once you have told your employer that you are pregnant. If you are not feeling well in the early stages of pregnancy and need to take sick leave, you may want to tell your employer about your pregnancy so that any pregnancy-related sick leave is counted separately and not used for redundancy or disciplinary purposes.

It may be difficult to show that any unfair treatment was *because of* pregnancy unless you have told your employer or you have good evidence that your employer suspected or had become aware. Once you have told your line manager and/or colleagues it is a good idea to follow it up in writing (such as email) so that you have a record of when you told your employer and who you told. You can copy in your HR and others who you think should be made aware of your pregnancy.

## **Can I claim pregnancy discrimination if I am made redundant following a miscarriage or whilst undergoing fertility treatment?**

There may be some circumstances in which you think that you have been discriminated against because your employer believed you were pregnant or assumed you were trying to get pregnant, for example, following a miscarriage or during fertility treatment. Protection from pregnancy discrimination in these

circumstances is limited but you may be protected against sex discrimination and you should seek further advice.

The Equality Act 2010, section 18, provides protection against discrimination on the grounds of pregnancy or pregnancy-related sickness for a protected period of two weeks from the end of a pregnancy for women who are not entitled to maternity leave (see questions above). You are entitled to maternity leave if your baby is stillborn after the end of the 24<sup>th</sup> week of pregnancy.

You are protected against discrimination, dismissal, redundancy or unfair treatment related to your pregnancy, miscarriage or related sick leave. It is up to your GP or medical practitioner to decide whether any sick leave is pregnancy or miscarriage-related. If your sick leave is certified as pregnancy or miscarriage-related that will apply for as long as your sick leave lasts. After the protected period has ended you may have a claim for sex discrimination (rather than pregnancy discrimination) under the Equality Act 2010, section 13, if you can show that you have been treated less favourably because of your miscarriage, for example, if you are dismissed, made redundant, disciplined or you are refused a promotion. You will need to consider what evidence you have to show that the unfair treatment or dismissal was related to your miscarriage or subsequent sick leave and it is important to get specialist advice as soon as possible.

Unfavourable treatment, such as redundancy or dismissal, because of fertility treatment or sickness absence related to fertility treatment, is unlikely to be protected as pregnancy discrimination unless you are in the advanced stages of in vitro fertilisation (IVF) or where you are deemed to be pregnant from the point where the fertilised ova has been implanted in your uterus. Alternatively, you may be able to argue that such treatment amounts to sex discrimination because of the invasive treatment required and resulting pregnancy. This is a complex area and you should seek specialist advice.

## **I have started a new job and discovered that I am pregnant. I have a six month probation period. Can my employer end my contract?**

Firstly, you only need to tell your employer about your pregnancy once you are ready to do so (see the questions above). That also applies if you are going for job interviews or starting a new job – there is no legal obligation to tell your employer early in your pregnancy or if you do not feel ready to do so or if you think that you will face discrimination as a result of it.

Secondly, if you were already pregnant when you started your job, you will not be able to qualify for Statutory Maternity Pay (SMP) so you will need to claim

## Pregnant Pickle

People, Prejudice & Pregnancy

Maternity Allowance from the JobCentre Plus. You will still be entitled to maternity leave, with the right to return to the same job, even if you will not receive any SMP from your employer. If you are not sure if you can get SMP you should give notice to your employer in the 15<sup>th</sup> week before your baby is due and ask them to work it out.

If your employer treats you unfavourably because of your pregnancy, for example, by ending your contract, extending your probation period, taking account of pregnancy-related sickness or suddenly raising performance issues that had not previously been mentioned, you are protected by pregnancy discrimination law. If you feel that the treatment is related to your pregnancy, you can talk informally to your HR department, union representative or a more senior manager. You should try to keep talking to your employer for as long as possible to try to resolve things amicably, especially if you want to keep on working for your new employer. It can help to get information on your rights to show to your employer as many are not aware of the law in this area. If you are unable to solve the matter at work, see How to resolve disputes at work, below.

If your employer ends your contract during your probation period, see the next question.

### **I have been dismissed but my employer says that it is because of poor performance not pregnancy.**

An employer will rarely admit that an employee has been dismissed for being pregnant. There will be circumstances when a dismissal during pregnancy 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. You should also have been given an opportunity to improve. If the dismissal or detrimental treatment is because of your pregnancy or for reasons connected to your pregnancy, such as pregnancy-related sickness absence, it is discriminatory.

***You are entitled to ask for written reasons if you are dismissed at any time during your pregnancy.*** 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' extra pay in compensation. If you bring a tribunal claim for unfair dismissal, automatic unfair dismissal and pregnancy discrimination, your employer will have to prove that the dismissal was for a fair reason and was not because of your pregnancy.

If you are thinking of making a claim in an employment tribunal you must contact ACAS first to try to resolve it through Early Conciliation. You must

contact ACAS on 0300 123 11 00 within the time limit of three months (less one day) from the date of your dismissal.

## **I told my employer about my pregnancy last week and have been told my post is being made redundant. Can my employer do that?**

You may have a claim for unfair dismissal, automatic unfair dismissal and/or pregnancy discrimination if you are selected for redundancy because of pregnancy or maternity leave.

## **My employer has reduced my shifts because of a downturn in work but no-one else has had their shifts reduced and it is going to affect my maternity pay.**

You may have a claim for pregnancy discrimination and loss of wages if your employer is cutting your shifts because of your pregnancy or in order to avoid payment of Statutory Maternity Pay (SMP). In some cases there may be a genuine reduction in work and an employer will have to reduce the amount of work offered to its employees but this must be done in a fair and non-discriminatory manner.

If your pay is reduced during the calculation period for SMP, which is approximately weeks 18 to 26 of your pregnancy, your SMP may be lower or you may not qualify for SMP at all. You can claim Maternity Allowance if you do not qualify for SMP.

If your employer dismissed you, made you redundant or ended your contract to avoid paying SMP you can contact the HMRC Statutory Payments Disputes Team on 0300 322 9422 and ask for a formal decision, see How to resolve disputes at work below. HMRC can order your employer to pay your SMP or pay it directly. If HMRC decide that you are not entitled to SMP you can claim Maternity Allowance from the JobCentre Plus.

You should speak to your employer about the reduction in your shifts. It is best to ask to have an informal chat at first and try to resolve things amicably. If necessary, you can write to your employer, your HR department or a senior manager and ask them to look into it. 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. It may also help to send your employer information on your rights to maternity pay and other rights during pregnancy.

If you are unable to resolve it and your employer continues to refuse work, you may be able to claim loss of wages and pregnancy discrimination in an employment tribunal, see How to resolve disputes at work, below.

## **Case study**



## Pregnant Pickle

People, Prejudice & Pregnancy

Mrs A worked about 13 hours a week (over two to three days) as a maid in a hotel. A roster was drawn up each week. She informed her employer that she was pregnant and took three days off sick. She was rostered to work for two weeks but, thereafter, was not rostered for any more work. The tribunal found that she had been treated unfavourably because of her pregnancy. Her employer said that she was not rostered because there was not enough work available but the tribunal found that another employee had been allocated more than her usual contractual hours. *Andrews v The Night Light Hotel Ltd*,

### **My employer has reduced my workload since I became pregnant and I feel that I am being side-lined.**

Unfavourable treatment because of pregnancy can include a wide range of behaviour, such as reducing an employee's workload, removing certain projects or clients, changing duties or responsibilities.

If your employer has reduced your workload because of your pregnancy you may have a claim for pregnancy discrimination and 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 but if it is not possible to resolve it you can make a complaint using your employer's grievance procedure. If you are thinking of making a claim in an employment tribunal you must contact ACAS first to try to resolve it through Early Conciliation. **You must contact ACAS within the time limit of three months (less one day) from the date of the act you are complaining about.**

### **Ever since I became pregnant my manager has made my job difficult. What should I do?**

Unfortunately many women experience unfavourable treatment after announcing their pregnancy at work. Unfavourable treatment can include a range of behaviour, such as refusing training or promotion, making comments or assumptions or making the job more difficult. Many women who experience discrimination during their pregnancy are reluctant to make a complaint for fear of rocking the boat before their maternity leave or of jeopardising their return to work. You should bear in mind that there are strict time limits for



making tribunal claims so you cannot always raise matters that arose during pregnancy at a later stage.

If you feel that the treatment is related to your pregnancy, you can talk informally to your HR department, union representative or a more senior manager. You should try to keep talking to your employer for as long as possible to try to resolve things amicably. It can help to get information on your rights to show to your employer as many are not aware of the law in this area. If you are unable to solve the matter at work, see How to resolve disputes at work, below.

## Time off for antenatal care

### **My employer has complained about the amount of time off I am taking for my antenatal appointments.**

Time off for antenatal care can be a leading cause of resentment amongst colleagues and employers. However, it is important for yours and your baby's health that you see your medical practitioners at regular intervals so that any problems are picked up as early as possible. The amount of time off you need is a very individual matter and no two pregnancies are the same. It may help to give your employer as much notice as possible of your appointments, try to minimise disruption as much as you can and talk to your employer about how your work will be covered during your absences.

The law says that employees (and agency workers who have been in the same placement for at least 12 weeks) are entitled to reasonable paid time off for their antenatal care. Your employer cannot ask you to take appointments outside working hours. If you work part-time, you are still entitled to time off where your appointments fall during your normal working hours if this is unavoidable. You should do everything possible to minimise disruption to your working day by making appointments at a time that will reduce your absence from work but if you have no control over your appointments you are entitled to take a reasonable amount of time off for your antenatal care.

Antenatal care can include classes providing they are recommended by a registered midwife, nurse or GP as part of your antenatal care. If your employer asks, you must provide proof of pregnancy and proof of the appointment. Your employer cannot ask for proof for the first appointment.

### **My employer is refusing to pay for antenatal classes?**

You are entitled to reasonable paid time off for all antenatal appointments, scans and classes providing they are recommended by a registered medical practitioner as part of your antenatal care. Apart from the first appointment,

your employer is entitled to ask for proof of your pregnancy and the appointment e.g. by showing your appointment card.

You are entitled to be paid for a reasonable amount of time off for your antenatal care. You should try to resolve it amicably at first by asking to speak to your employer informally. If necessary, you can write to your employer or agency, your HR department or a senior manager and ask for a meeting to discuss it. 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.

It may help to provide your employer or agency with information on your rights as many are not aware of your rights in this area. As a last resort you could make a formal complaint using your employer's grievance procedure. If your employer still refuses to allow you to take time off for antenatal care or refuses to pay for all or part of your time off you can bring a claim in an employment tribunal under section 57 of the Employment Rights Act 1996 (section 57ZC for agency workers). You must bring a claim within three months (less one day) of the date of your appointment.

If you are thinking of making a claim in an employment tribunal you must contact ACAS on 0300 123 1100 within the time limit to start Early Conciliation. You may also have a claim for pregnancy discrimination if you have been treated unfavourably for taking time off for antenatal care. See How to resolve disputes below.

## Health and safety during pregnancy

### **I am concerned about health and safety risks at work but my employer is not taking any action. What can I do?**

You should notify your employer in writing that you are pregnant and ask your employer to take reasonable action to protect your health and safety. If you are concerned about your health and safety at work, you could discuss it with your midwife or GP and, if necessary ask for a letter or fit note setting out the risks and action that needs to be taken.

The Management of Health and Safety at Work Regulations 1999 say that an employer must assess the risks to pregnant women and new mothers and take reasonable action remove any risks by altering your working conditions or hours of work, such as providing somewhere to sit down or extra rest breaks. If it is not possible to remove the risks, employees and agency workers (who have been in the same placement for at least 12 weeks) are entitled to be

offered suitable alternative work on similar terms and conditions or, if no work exists, you are entitled to be suspended on full pay.

If your employer has not dealt with any health and safety issues adequately and you are forced to take sick leave your Statutory Maternity Pay may be reduced. If you do not qualify for SMP at all you should claim Maternity Allowance instead. It may help to give your employer information about your rights during pregnancy. You can find Government information on health and safety here: [www.hse.gov.uk/mothers/faqs.htm](http://www.hse.gov.uk/mothers/faqs.htm).

Ask to have an informal chat at first and try to resolve things amicably. If necessary, you can write to your employer, your HR department or a senior manager and ask them to look into it. 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.

If there are risks at work and your employer has not taken action to remove them, you may be able to claim for any loss of wages and pregnancy discrimination in an employment tribunal, see [How to resolve disputes at work](#), below.

Mrs H was a care assistant in a nursing home. Her job involved lifting elderly residents. She informed her employer that she was pregnant and needed a risk assessment. She provided a medical certificate stating that she should avoid heavy lifting. Her employer did not do a risk assessment but offered her work as a cleaner. The employment tribunal decided that cleaning was not suitable alternative work for a care worker. The Employment Appeal Tribunal also decided that if there are risks involved in the work that you do, failure to assess the risks and take action to protect your health and safety during pregnancy is sex discrimination. This case was decided before the Equality Act 2010 and may now be decided as pregnancy discrimination.  
*Hardman v Mallon t/a Orchard Nursing Home* [2002] IRLR 516.

## Sick leave during pregnancy

### I have had to take a lot of sick leave during my pregnancy, can my employer dismiss me?

No, it is automatic unfair dismissal and pregnancy discrimination to dismiss a woman because of pregnancy or pregnancy-related illness. **Your employer must record any pregnancy-related sickness absence separately** from other sickness absence so that you are not disadvantaged. Pregnancy-related sickness absence must not be taken into account for redundancy or disciplinary purposes.

If you think that your sickness is being caused by your working conditions you should talk to your midwife or GP. You could ask them to write a letter or fit note setting out the health and safety risks and action needed to protect your health and safety. Your employer should remove any risks to your health and safety and, if necessary, make changes to your working hours or conditions or offer you suitable alternative work.

## **What sick pay am I entitled to?**

If your employer normally pays full sick pay, when you are off sick, you are also entitled to full sick pay for pregnancy-related sickness. You should check your contract or staff handbook.

If you do not usually get full sick pay from your employer, you are entitled to Statutory Sick Pay if you are off sick during your pregnancy and you meet the qualifying conditions, see: [www.gov.uk/statutory-sick-pay](http://www.gov.uk/statutory-sick-pay).

If your employer refuses to pay Statutory Sick Pay you can ring the HMRC Statutory Payments Disputes Team on 0300 322 9422 for more help.

Note: if your pay is reduced because you are on Statutory Sick Pay during the calculation period for Statutory Maternity Pay, which is approximately weeks 18 to 26 of your pregnancy, your SMP may be lower or you may not qualify for SMP at all. If you do not qualify for SMP you can claim Maternity Allowance from the JobCentre Plus.

## **How to resolve disputes at work**

### **What can I do if I am unhappy about the way I have been treated during my pregnancy?**

It is important to try to resolve it amicably if possible 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 during pregnancy and maternity leave. Make sure your employer knows that they can claim back all your Statutory Maternity Pay, for instance, and they can get advance payment if they cannot afford to pay. See next question for resolving maternity pay disputes.

You can set out your concerns in writing (you can do this by email). It may also be a good idea to talk it through with your union, your HR department or a more senior manager.

If you have been unable to resolve it informally or by talking to your employer, you can use your employer's grievance procedure but this should be a last

resort as it can often be harder to resolve it once you have raised a complaint, especially if you want to stay in your job.

Whilst it is important to keep talking to your employer (and you must explore all avenues for trying to resolve it if you are thinking of making a claim in a tribunal), you must bear in mind that there are strict time limits for making employment tribunal claims.

If you want to make a claim in an employment tribunal you must contact ACAS Early Conciliation on 0300 123 11 00 first. There is a strict time limit for starting a tribunal claim of three months, less one day, from the date of the act or series of acts you are complaining about.

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

If you are dismissed during pregnancy or maternity leave you are entitled to written reasons for the dismissal and you may still be able to get maternity pay, see next question.

If you think you have been discriminated against because of your pregnancy, you should seek legal advice as soon as possible. Because of time limits for starting a tribunal claim you may be out of time if you wait until after your maternity leave to raise issues that arose during your pregnancy unless you can show an ongoing course of discrimination or that it is 'just and equitable' for the tribunal to extend the time limit.

If you do not want to take a claim to tribunal, you could ask your employer if they would be willing to explore mediation as a way of resolving a dispute. If you think you have been treated unfairly and you no longer feel able to continue working for your employer you could try to negotiate an exit settlement in order to bring your employment to an end.

### **How can I resolve problems with my maternity pay?**

You should contact your employer first and try to resolve it. It may help to speak to your payroll department if you have a dispute about your SMP. Let your employer know that they can claim back your SMP from HMRC and they can claim advance payment if they are having difficulty paying it: <https://www.gov.uk/recover-statutory-payments> Your employer can get advice from the HMRC Employers Helpline on 0300 200 3200.

## Pregnant Pickle

People, Prejudice & Pregnancy

If your employer is refusing to pay your Statutory Maternity Pay, is paying it incorrectly or has gone into liquidation, you can claim it from HMRC Statutory Payments Disputes Team on 0300 322 9422, see [Where to go for more help](#) below. Let your employer know that you are going to contact HMRC as it may help to resolve it more quickly.

If you think you were dismissed, made redundant or your contract was ended in order to avoid paying Statutory Maternity Pay, you may be able to claim your SMP directly from HMRC. You can contact HMRC Statutory Payments Disputes Team on 0300 322 9422 and ask for a formal decision. You must do this within six months of the first day on which your SMP was due.

You will need to have been employed for at least 8 weeks and to show that your employer ended your contract 'solely or mainly' to avoid having to pay your SMP. This could include redundancy, dismissal or non-renewal of a fixed-term contract.

You should consider what evidence you have about the timing of your dismissal/redundancy, for instance, was it shortly after telling your employer about your pregnancy or just before the 15<sup>th</sup> week before your baby is due or were you the only employee made redundant.

If HMRC decide that your contract was ended to avoid paying SMP, your SMP will be based on your average earnings in the 8 weeks before your last pay under your contract. You may also have a claim for unfair dismissal, automatic unfair dismissal and/or pregnancy discrimination.

If HMRC decide that your contract was not ended to avoid paying SMP, you can appeal to a First-tier (Tax) Tribunal if you want to challenge their decision or you may be able to claim Maternity Allowance. You should bear in mind that a Maternity Allowance claim can only be backdated for three months.

**If you find this information sheet helpful and would like to support Pregnant Pickle reach more women/parents in a similar position to you, please consider donating £1 or any amount you can afford, to help us be there for more women facing pregnancy discrimination, [please donate here:](#)**



**[Please also give us a like/ follow and interact with our posts here:](#)**

June 2022

*Pregnant Pickle*

People, Prejudice & Pregnancy

[Facebook](#)

[Instagram](#)

Don't forget to use **#pregnantpickle**