



SECTION	People and Culture
POLICY	Maternity Leave
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1. Introduction

This policy provides Employees with a general outline of the statutory provisions relating to maternity leave and pay. We recognise that you may have questions or concerns relating to your maternity rights and we hope that this policy will address most of these. The policy is, however, no substitute for talking to your line manager who will guide you through the various stages.

This policy reflects your legal rights but does not form part of your contractual terms of employment and may be amended at any time at the Company's discretion. Any abuse of this policy may render you liable to disciplinary action.

2. General

Depending on the eligibility and notification requirements below, you may be entitled to:

- Take time off for antenatal care;
- Ordinary maternity leave ("OML") of 26 weeks starting at any time after the beginning of the 11th week before you are expected week of childbirth ("EWC")
- Additional maternity leave ("AML") of an additional 26 weeks starting on the day after OML ends; and
- Statutory maternity pay ("SMP")

For health and safety reasons, when you fall pregnant you should notify your line manager as soon as possible. In any event you must notify your line manager of your pregnancy by the end of the qualifying week (see "Maternity Leave/Conditions" below).

3. Antenatal care

If you are pregnant, you are entitled to take reasonable time off during working hours in order to receive antenatal care. This includes appointments with your GP, midwife or health visitor. There will be no deduction from your salary for attendance at authorised appointments.

You are entitled to take time off to receive antenatal care irrespective of your length of service or hours worked.

Conditions:

- You are required to produce a certificate from your doctor, registered midwife or registered health visitor stating that you are pregnant.
- You must provide your line manager with an appointment card or other satisfactory documentation confirming the appointment time and date.
- Whenever possible, you should arrange your appointments at the start or end of your working day and agree your time off in advance with your line manager. You should try and give as much notice as possible of antenatal appointments so that we can arrange cover for your absence.

4. Health and safety

We have certain health and safety obligations towards staff who are pregnant (or who are breastfeeding) but we need to be advised of your pregnancy in order to meet that.

We are obliged by law to take care of all of our Employees' health and safety. Where your work may involve a special risk to you or your baby, we are required to carry out a risk assessment to assess any workplace risks if you are pregnant, have recently given birth or are breastfeeding. We will disclose to you any information about risks that the risk assessment may disclose. Should the risk assessment disclose that you may be exposed to a hazard to your health in the performance of your normal duties, we will take such steps as are reasonably necessary to avoid such risks. In some cases this may mean changing your hours of work or working conditions or offering you suitable alternative work (where available) on terms and conditions that are not suitably less favourable.

5. Sickness during pregnancy

Should you be absent from work for a pregnancy-related illness you will receive your statutory and contractual sick pay (refer to sick pay policy) in the usual way provided you have not yet commenced your OML. Your maternity leave may start early if you are absent for a pregnancy-related reason near to the expected date of birth (see "Starting Your Leave" for more details).

Any pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be ignored for future sickness absence considerations.

6. Maternity leave

If you become pregnant, you must notify your line manager before the end of the 15th week before the week your baby is due (the “Qualifying Week”), or as soon as reasonably practicable, of the following:

- You are pregnant;
- The expected week of childbirth; and
- The date you wish your leave to start.

You are also required to provide medical evidence of the expected week of childbirth in the form of a MAT B1 certificate (available from your GP or midwife) as soon as possible. This certificate is required as evidence of your entitlement to SMP (see below).

Once you have notified your line manager of the date you wish to start your maternity leave, they will respond in writing and confirm the date that you are expected to return to work. If you wish to change the start date, you must provide your line manager with 28 days’ prior notice as soon as possible, unless this is not reasonably practicable.

7. Starting your leave

The earliest you may start your maternity leave is the 11th week before the week your baby is due and the latest is on the day after the birth.

Your OML will automatically commence if your child is born prematurely, in which case it will start on the day after the date of birth. It may also automatically commence on the day after you are absent due to a pregnancy-related illness at any time from the beginning of the 4th week before the week your baby is due. In both circumstances, you must notify your line manager as soon as reasonably practicable that you are absent for these reasons.

8. Statutory pay

You may be entitled to SMP if you have 26 weeks’ continuous employment by the Qualifying Week i.e. the 15th week before your baby is due. If you are not entitled to SMP (because of this or if your average weekly earnings are not sufficient) you may be entitled to Maternity Allowance. Further information can be obtained from the Benefits Agency.

There are two rates of SMP:

- a) The earnings-related rate, based on 90% of normal weekly earnings, which is payable for the first six weeks; and
- b) The lesser of the standard rate (a figure determined by the Government) and 90% of normal weekly earnings, which is payable for up to 33 weeks thereafter.

Further information, including the up-to-date SMP rate, can be obtained from your line manager.

SMP is payable for up to 39 weeks and is paid in the same way as salary, being subject to deductions for tax and National Insurance Contributions. SMP stops being paid when you return to work (except for “Keeping in Touch” days).

9. Terms and conditions during leave

During maternity leave, you will benefit from the express and implied terms and conditions which would have applied had you been at work, except for those concerning remuneration, specifically wages and salary. You will continue to accrue your contractual holiday entitlement in the usual way. You are encouraged to take any outstanding holiday entitlement due to you before commencement of the maternity leave.

10. Keeping in touch

To enable you to keep in touch with the Company, you may agree with the Company to undertake work, training or activities for a limited number of days (up to 10) during your leave period, without bringing that leave period to an end or losing your entitlement to SMP or Maternity Allowance. These are known as “Keeping in Touch” days. Your rate of pay for Keeping in Touch days will be agreed with your line manager. You cannot work in the two weeks after childbirth. Any work carried out on a day shall constitute a day’s work for these purposes, no matter how many hours worked.

Keeping in Touch dates are not compulsory nor are we obliged to provide them. In any event the Company may wish to maintain reasonable contact with you during maternity leave.

11. Returning to work

If you intend to return to work at the end of your full 52-week maternity leave, once you have informed us of this, you do not need to notify us again in advance of your return.

However, if you want to return to work earlier than the end of your full maternity leave, you must give at least eight weeks’ notice of the date on which you intend to return. If you do not do so, the Company may postpone your return date.

If you wish to return later than the end of your maternity leave, you should contact your line manager. There is no automatic right to an extension but all applications will be considered sympathetically.

On your return to work you are entitled to return to the same job and same terms of employment. However, if you have taken a period of AMP, you may be offered a different job which is suitable and appropriate if it is no longer reasonable practicable to offer you your old job.

Should you wish to return to work on a flexible working basis, you should make a flexible working application (Refer to the flexible working policy).

If you decide not to return to work, you should give notice in accordance with the terms of your contract. Failure to return to work at the end of maternity leave without proper explanation will be however treated as unauthorised absence.

