



Maternity Leave Policy

Purpose and scope

This policy and procedure applies to all current employees, whether full or part-time, self-employed, temporary or fixed-term.

This policy provides managers and staff with clear information about our maternity provisions. It describes our policy on maternity leave, pay, and arrangements about returning to work after maternity leave. It also sets out the procedures which we need to follow at various stages, before, during and after maternity leave.

This document provides basic guidance on the health and safety aspects of working whilst pregnant. Please ask your manager if you need further specific information.

Procedure

Telling your manager that you are pregnant

As soon as you know that you are pregnant, please tell your manager. This is in your own interests and ensures that we can take any necessary steps to look after your health and safety and that of your baby.

As soon as you tell us that you are pregnant, we will assess any health and safety risks to you or your baby. Early notice also allows us to let you know what your rights will be to maternity leave and pay.

However, you do have the right to wait until the 15th week before you expect the baby before telling us that you are pregnant. Either way, please write to let us know you are pregnant, with a copy of your MAT B1 and indicating when you expect to start your maternity leave. You can change the start date of your maternity leave if you give at least 28 days written notice of the change.

Note on the MAT B1 certificate

The MAT B1 is a form signed by a doctor/midwife confirming your expected week of childbirth (EWC). Hospitals and GP surgeries have different policies regarding when the

MAT B1 should be signed and by whom. The MAT B1 is not always issued automatically and you may have to ask your doctor/midwife for a copy.

Entitlements

Antenatal care

During your pregnancy, your doctor/midwife will make regular appointments with you for antenatal checks, scans, tests etc. You can take reasonable time off work to attend these appointments, regardless of your length of service or the hours that you work. This time off will be with pay and you will not be expected to make up the time. You should give your manager as much notice as possible of your appointments. After the first one, please show your manager the appointment card from the hospital or clinic.

Maternity leave

You can take up to 52 weeks' maternity leave. This is made up of 26 weeks of ordinary maternity leave (OML) plus 26 weeks' additional maternity leave (AML). You also have the right to return to work after the end of your OML or AML. This right applies to all female employees regardless of length of service or the number of hours worked per week.

You can choose when to start your maternity leave. This can be any date from the beginning of the 11th week before the expected week of childbirth (EWC). The law requires that an employee takes a minimum of two weeks maternity leave immediately following the birth.

Sick leave during your pregnancy or maternity leave

If you are unable to work because of a pregnancy-related illness after the 4th week before the EWC, then your maternity leave period will begin straight away. If you are off sick due to a non-pregnancy related illness, it will count as sick leave in the usual way.

Any pregnancy related sick leave taken before the start of the 4th week before the EWC, will be treated as sick leave in the usual way.

Early births

If your baby arrives before the 11th week before the EWC or your planned date of leaving, your maternity leave will start the day after your baby is born.

Maternity pay

You are eligible to receive 39 weeks statutory maternity pay (SMP) if:

- You have at least 26 weeks' continuous service by the end of the 15th week before the EWC ('the qualifying week').

- You have average weekly earnings in the eight weeks up to and including the qualifying week of at least the lower earnings limit for Class 1 national insurance contributions.
- You have provided a MAT B1 form stating your expected week of childbirth.
- You are still pregnant 11 weeks before the start of the expected week of childbirth (or have already given birth).

If you qualify for SMP, it will usually be paid for a period of up to 39 weeks. Rates are fixed by law and are subject to tax and national insurance deductions. During the first six weeks of this 39-week period, SMP is paid at 90% of your average weekly earnings; thereafter you will receive the weekly lower statutory maternity rate or 90% of your weekly earnings, whichever is the lesser amount.

Your average weekly earnings are calculated over the 8 weeks prior to the end of your qualifying week (15th week before the EWC). [See the GOV.UK website for details of statutory rates.](#)

If you do not qualify for SMP you may be eligible to receive [maternity allowance](#). If you are not entitled to statutory maternity pay, we will issue you an SMP1 form to allow you to claim the maternity allowance.

Shared parental leave (SPL)

You can end your maternity leave and pay and instead take SPL and pay with your partner/the father of the child, if you meet the eligibility criteria. SPL enables parents to choose how to share the care of their child during the first year of birth. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. [See the shared parental leave policy.](#)

The effect of maternity leave on contractual benefits

During your maternity leave you will receive the contractual benefits that you would normally receive if you were at work, with the exception of cash benefits (for example remuneration and allowances).

When you return to work you will receive any pay increase (or other terms and conditions) that you would have received had you been at work. This may also lead to a re-calculation of your SMP entitlements.

Annual leave

Your contractual annual leave entitlement continues to accrue during your maternity leave. You can take any leave accrued, as a block, either before you start maternity leave, immediately upon your return to work or a combination of the two.

If you take the annual leave before maternity leave and resign during maternity leave, we may deduct any days taken that you haven't accrued.

Maintaining contact during maternity leave

Some people choose to have little if any contact with work during their maternity leave while others want to maintain a high level of contact. Before your maternity leave, your manager will ask you about contact during your maternity leave. Below is a list of the sorts of information you may want to know about.

- Notes of team and other important meetings.
- Details of internal vacancies which arise.
- Details of important announcements given in the team meeting.
- Details of significant developments to working practices.
- Details of changes to the team structure.
- Details of any training courses.

There may be occasions when we need to contact you even if you have indicated that you do not wish to be contacted. In these circumstances contact will only be made when there is significant information which might affect you. For example where there are changes proposed to your job.

Keep in touch (KIT) days

You may work for up to 10 days during your maternity leave. KIT days must be agreed to by the employer and employee. When agreeing KIT days you and your manager should agree the type of work, pay rate and the duration in advance. Payment for KIT days is off-set against statutory maternity pay and not in addition.

You and your manager must agree a rate which means your pay for the week is equal to or more than the rate of SMP.

Returning to work

We will assume that you will take all your maternity leave and want to return to the same job, on the same hours. In other words you do not have to notify us if you intend to return to work at the end of your AML. If this is not the case then please write to us with any request to change your terms.

If you want to return to work before your maternity leave ends, please write to your manager at least eight weeks' before you want to return. If you do not give at least eight weeks' notice, your manager may delay your return to work by up to a further eight weeks where there is good reason.

You have the right to return to the same job if returning from OML. If you return to work after AML and it is not reasonably practicable to return to the same job, you can return to another suitable job. The alternative job must be on no less favourable terms and conditions.

If you decide not to return to work, you will need to resign by giving notice as specified in your contract of employment.

Requesting a change to your pattern of work

You have the right to request that we consider changing your pattern of work (subject to eligibility criteria). See the Flexible Working Policy.

Your health and safety

Risk assessment

Whilst most women are able to work normally during pregnancy there are some duties which are best avoided or minimised. Your manager may be able to reorganise your work to avoid/minimise such duties.

They may ask you to do different work within your capability, for health and safety reasons. Only in exceptional cases would other action be required eg suspension on medical grounds or other appropriate action.

Once you tell your manager of your pregnancy, they discuss health and safety issues with you. Your manager will complete a risk assessment with you, agreeing with you any actions. Your manager will hold regular meetings with you throughout your pregnancy to review the assessment. If you have any concerns, please raise these with your manager.

Note on rest facilities

There should be somewhere at each workplace where a pregnant or nursing mothers can rest. This may be a staff room, first aid room or if space does not permit, a comfortable chair away from the work area may have to suffice.

Data protection

When managing your maternity leave and pay, we will process personal data under the data protection policy. Personal and or sensitive information is held securely and accessed by, and disclosed to, staff who need to manage maternity leave and pay. Inappropriate access or disclosure of personal data would breach our data protection policy and should be reported immediately.

A data breach may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

Date reviewed: June 2023

Date of next review: June 2024