

Maternity Policy

AIM

The aim of this policy is to set out the employee's and the Organisation's obligations which must be fulfilled during the individual's pregnancy and during her maternity leave. The policy also provides details of statutory entitlements to which the employee may be eligible. This policy is applicable to all employees who are expecting a baby.

PRINCIPLES

- The Organisation wishes to detail the procedures that must be followed where an employee becomes pregnant, and also leading up to and during her maternity leave.
- Details of any benefits and maternity pay that a pregnant employee may be entitled to during her maternity leave are provided within the policy along with the length of maternity leave entitlement and the notification requirements.

RISK ASSESSMENT

When an employee first notifies the Organisation of her pregnancy, a risk assessment must be carried out to identify any risks that may be posed to the employee and/or the baby's health. Some of the more common risks might be:

- lifting/carrying of heavy loads;
- standing or sitting for long lengths of time;
- exposure to infectious diseases;
- exposure to lead;
- work-related stress;
- workstations and posture;
- exposure to radioactive material;
- other people's smoke in the workplace;
- long working hours;
- excessively noisy workplaces.

Once an employee has returned to work and is still breastfeeding, the Organisation must carry out a further risk assessment to identify any other risks to which the employee may be exposed.

If any risks are identified then the Organisation will take appropriate action to remove, reduce or control the risk. If the risk cannot be removed further advice will be sought as to what appropriate action will be taken.

ANTENATAL APPOINTMENTS

Employees are entitled to paid time off to attend antenatal appointments which are made on the advice of their Doctor, Midwife or Health Visitor. Apart from the first appointment an appointment card must be provided to the individual's manager as proof of her appointment.

Paid time off will not be allowed for antenatal care which is not deemed as a medical necessity, however, the Organisation may consider unpaid time off for such care depending on the business requirements.

MATERNITY LEAVE

All pregnant employees regardless of their length of service will be entitled to 52 weeks maternity leave; this is made up of 26 weeks ordinary maternity leave and 26 weeks additional maternity leave. Maternity leave can be taken from the 11th week before the date the baby is due unless:

- the employee is absent for a pregnancy related reason and has not already begun her maternity leave, in which case her maternity leave will automatically begin four weeks before the date the baby is due
- the baby is born before the planned start of the maternity leave, in which case the maternity leave will automatically begin

Employees are required to take compulsory maternity leave for the first two weeks following childbirth (or during the first four weeks if they work in a factory).

NOTIFICATION

It is important that employees notify the Organisation that they are pregnant as soon as possible so that a risk assessment can be carried out. In any event employees should notify the Organisation in writing by the 15th week before the week the baby is due that they are pregnant. An employee must also inform the Organisation the date that her baby is due, and when she would like her maternity leave and pay to begin.

If the employee does not provide details of her expected date of return to work, it will be assumed that she will be taking the full 52 weeks maternity leave. Within 28 days of receiving written notification from the employee that she is taking maternity leave, the Organisation will write to the employee confirming:

- the date her maternity leave will begin
- the date her maternity leave will end
- what entitlement she will have to maternity pay during her leave
- details of any benefits she will continue to receive during her ordinary and/or additional maternity leave
- details of contact or keeping in touch arrangements

- any additional information

If the employee wishes to change the start date of her maternity leave she must provide in writing at least 28 days notice of this change.

The employee must provide the original signed MATB1 to the Organisation as soon as she has received this from her Doctor or Midwife.

The new right to Shared Parental Leave applies to employees whose baby is due on or after 5 April 2015, or who have a child placed for adoption with them on or after that date. Requests for Shared Parental leave can be made from the 1st December 2014. Employees who wish to end their maternity leave early and take a period of Shared Parental leave must refer to the Shared Parental Leave policy.

STATUTORY MATERNITY PAY

Employees must comply with the notification requirements as detailed above. Where an employee has been continuously employed by the Organisation for 26 weeks at 15 weeks before the week in which her baby is due and where her pay is either at the Lower Earnings Limit (LEL) or above, she will be entitled to:

- six weeks at 90 percent of her average earnings, or the LEL whichever is the greater amount; followed by
- 33 weeks at the Statutory Maternity Pay (SMP) amount

The SMP pay period may start on any day of the week.

BENEFITS

An employee's contractual benefits will continue to accrue during the ordinary and additional maternity leave period, these may include:

- **Holiday Entitlement**
An employee's contractual entitlement to annual leave will continue to accrue during the ordinary and additional maternity leave period. The employee must agree with her line manager how any accrued holiday will be taken. Where the maternity leave period spans across two holiday years, some of the entitlement may be taken prior to the individual commencing her leave.
- **Life Assurance**
If an employee is entitled to life assurance cover this will continue throughout the duration of her maternity leave period.
- **Pension**
Where the Organisation currently makes a contribution to the individual's pension plan, this level of contribution will continue during the paid maternity leave period. Where an employee makes a contribution to her pension plan and this contribution

is calculated on a percentage of earnings basis, this will continue to be calculated based on any maternity pay the individual receives.

KEEPING IN TOUCH

Prior to taking maternity leave the Organisation will agree with the employee how they will keep in contact during her maternity leave period. The Organisation will notify the employee of any changes in the Company and also of any suitable promotional opportunities which may exist.

During the maternity leave period the Organisation may agree with the employee that she can work for up to ten days, these are known as 'Keeping in Touch Days' (KIT). These may be used for training, for attending meetings or to ease her return to work. Where any employee works a KIT day she will be entitled to her normal basic pay for the hours worked, this will not affect her SMP.

RETURN TO WORK

If during her maternity leave the employee wishes to change her date of return to work she must give the Organisation in writing, eight weeks notice of the change. Where the individual has failed to give the eight weeks notice, the Organisation can postpone her return until the eight week notice has passed, unless this exceeds the original date of return.

If an employee is too ill to return to work at the end of her maternity leave period, the sickness absence procedures will apply.

If an employee does not intend to return to work following her maternity leave period she must submit her resignation in writing to her line manager, giving her required contractual notice period.

Where an employee fails to return to work on her due date of return and she fails to notify the Organisation that she is not returning to work, her absence will be treated as unauthorised and the disciplinary procedure will normally be invoked.

Where an employee returns to work either during or at the end of the ordinary maternity leave period, she will be entitled to return to the same job on the same terms and conditions as if she had not been absent.

Where an employee returns to work either during or at the end of the additional maternity leave period, she will be entitled to return to the same job on the same terms and conditions unless this is not reasonably practicable to do so, in which case she will be offered suitable alternative work.

PREMATURE BIRTH

Where an employee's baby is born prematurely the employee will still be entitled to the same maternity leave, pay and benefits as detailed above, even where this is before the 11th week before the expected week of childbirth. Maternity leave will start of the first day of the employee's absence.

STILL BIRTH

In the sad event that an employee gives birth to a baby who does not survive and this is after the 24th week of pregnancy the employee will be entitled to the same maternity leave, pay and benefits as detailed above.

MISCARRIAGE

Where an employee has a miscarriage before the 25th week of pregnancy, normal sick leave provisions will apply.

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