

MATERNITY POLICY

Purpose

To ensure all employees are aware of statutory and occupational maternity entitlements and eligibility criteria.

Principles

The Company intends to fully support all expectant mothers up to the birth of their child and upon returning to work.

It is important to maintain communication throughout periods of maternity leave to make returning to work a smooth transition. The Company encourages the use of KIT (Keep In Touch) days to exchange information and keep in contact.

Maternity Leave

Any pregnant employee has the right to paid time off for ante-natal care but must produce evidence of appointments if requested to do so by the Company.

All pregnant employees are entitled to take up to 52 weeks' maternity leave, including 26 weeks ordinary maternity leave and 26 weeks additional maternity leave.

If an employee is off work for a pregnancy-related illness during the four weeks immediately before the baby is due, maternity leave will commence automatically.

Notification of Pregnancy

The employee must notify the Company in writing of her intention to leave work to commence maternity leave at least 15 weeks in advance of the expected week of childbirth or as soon as is reasonable practicable. She should also indicate the date on which she intends to start her maternity leave. Maternity leave can be taken from the 11th week before the expected week of childbirth.

If the employee changes her mind about the start date of her maternity leave, she must give the Company 28 days' notice

The employee will be required to pass the certificate of confinement (form Mat B1) or a doctor's certificate, certifying pregnancy, to Human Resources as soon as possible after receipt. A Mat B1 is normally made available from the 20th week before the expected week of confinement.

Once an employee has advised of her intention to take maternity leave, a letter will be sent confirming the expected return to work date. This will usually be 12 months from the start of maternity leave (unless the employee has specifically stated otherwise). If the employee wishes to change their return to work date they must give at least eight weeks' notice.

A pregnancy risk assessment will be carried out by the employee's line manager upon notification of pregnancy.

Maternity Pay

If an employee is eligible for Statutory Maternity Pay (SMP), they will be entitled to receive 26 weeks SMP during ordinary maternity leave, and 13 weeks SMP followed by 13 weeks unpaid during additional maternity leave.

An employee who does not qualify for Maternity leave or SMP will be entitled to 52 weeks maternity leave (unpaid), regardless of how long they have worked for the Company.

Entitlement to Maternity Pay is dependent on:

- at least 26 weeks' continuous service with the current employer continuing into the 15th week before the expected week of confinement also,
- normal weekly earnings for an 8 week period ending in the 15th week (before the expected week of confinement) must be at or above the lower weekly earnings limit for national insurance contributions in force during the 15th week (i.e. above £97 per week from April 2010) and
- notification of pregnancy as outlined above.

If an employee is not eligible to receive SMP, Form SMP 1 will be issued and the employee may qualify for a Maternity Allowance, which is paid through the Benefits Agency.

Statutory Maternity Pay (SMP)

SMP comprises:

- an earnings-related element equivalent to 90% of average earnings for a period 6 weeks from the start of maternity leave;
- a flat rate payment (currently £128.73 from April 2011, or 90% of average earnings if this is less than the lower earnings limit) for a further 33 weeks.

There is a maximum benefit period of 39 weeks. SMP will be paid monthly on the usual pay day.

It should be noted that SMP cannot be paid and, therefore, the Maternity Pay Period cannot start earlier than the 11th week before the expected week of confinement. If an employee decides to work up to the birth, then the maternity pay period must start from the day after the date of the birth of the baby.

Occupational Maternity Pay (OMP)

Employees in bands C – I are also eligible to receive OMP subject to meeting the eligibility criteria outlined above:

Bands C – F 6 weeks full pay (includes statutory maternity pay) followed by 6 weeks half pay plus statutory maternity pay.

Bands G – I 6 weeks full pay (includes statutory maternity pay) followed by 12 weeks half pay plus statutory maternity pay.

Payment of OMP is conditional on the employee returning to work for a minimum of three months at the end of the period of maternity leave. Should the employee decide not to return to work or leave within three months of returning then the Company reserves the right to reclaim any OMP paid.

Keep in Touch (KIT) days

SMP is payable only for weeks during the Maternity Pay Period in which no work is undertaken for the Company. However, up to ten days' work (known as Keep in Touch days) may be undertaken at any stage during the maternity leave period, by agreement with the employer (with the exception of the first two weeks of compulsory maternity leave after the birth of the baby).

Employees will receive payment at their contractual rate for any KIT days/hours worked, but any maternity pay owed for that period will be offset against payment for KIT days.

Other Points to Note

- If an employee qualifies for SMP it will be paid by the Company for a period of up to 39 weeks even if the employee is not returning to work after the birth of the baby.
- SMP and OMP may be paid for less than 39 weeks if an employee returns to work before the end of the period for which they are entitled to receive SMP and/or OMP.
- There shall be no distinction between live and still births in the granting of maternity leave.
- If work is undertaken for another employer after the baby is born the Company must be informed. Under these circumstances, the payment of SMP and OMP by the Company will cease.