



Company Policy
For
Pregnancy, Maternity, Paternity, Adoption

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PREGNANCY AND MATERNITY RIGHTS

The following document sets out our Policy on Maternity, Adoption and Paternity leave and pay. This policy is not contractual but sets out the way in which we plan to manage maternity, paternity and adoption leave and fulfil all our statutory obligations in this regard. This policy incorporates the additional benefits in force from 2007 and applies to employees whose expected week of childbirth or expected date of adoption is on or after 1 April 2007.

OVERVIEW

All employees have the right not to suffer any detriment on the grounds of pregnancy and childbirth, or for taking maternity, adoption or paternity leave. This right applies in relation to an act taken or a failure to act.

We offer benefits which are in line with the statutory benefits scheme. Any employee who has any questions about this policy or about any other aspect of maternity rights should contact his/her line manager

MATERNITY LEAVE

TIME OFF FOR ANTE-NATAL CARE

Pregnant employees are entitled to take time off during normal working hours to receive ante-natal care although wherever possible appointments should be arranged at the start or end of the working day. Ante-natal care includes appointments with the GP, hospital clinics and relaxation classes.

Employees should advise their line manager of any absence as far in advance of the appointment as possible, and may be asked to produce an appointment card. There will be no deduction of pay for attending authorised ante-natal appointments.

MATERNITY LEAVE

All employees are entitled to 52 weeks' statutory maternity leave, irrespective of length of service or the number of hours worked each week.

The first 26 weeks is known as "ordinary maternity leave"; the second 26 weeks is known as "additional maternity leave".

COMMENCING MATERNITY LEAVE

Maternity leave may begin at any time after the start of the 11th week before the week in which the child is due. The only exception to this is if the employee falls ill because of pregnancy at any time after the start of the fourth week before the child is due. In such a case maternity leave will start on the first day of absence.

NOTIFICATION REQUIREMENTS

Employees must notify us of their intention to take maternity leave, and the date on which they intend this to start. This notification should be in writing, and should be provided before the end of the 15th week before the expected week of confinement. The employee should also provide a form MAT B1, signed by a doctor or midwife, confirming the pregnancy.

In exceptional circumstances notification can be given after the child is born, but as a general rule failure to serve notice at the relevant time will mean the loss of the right to take maternity leave

RETURNING FROM MATERNITY LEAVE



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Employees who return to work at the end of their statutory maternity leave period do not need to notify us in advance of the date of return. However, we do request they keep in touch with us and to notify us of any changes in their intentions as soon as possible.

If an employee wishes to return to work before the end of her statutory maternity leave period she must give us 56 days' (eight weeks) advance written notice specifying the date of return.

STATUTORY MATERNITY PAY

To qualify for Statutory Maternity Pay (SMP), employees must have at least 26 weeks' service by the end of the 15th week before the week in which the baby is due and must have average earnings equal to, or greater than, the lower earnings limit for National Insurance contributions. SMP is payable whether or not the employee intends to return to work.

SMP is payable for a maximum of 39 weeks. Week one of the maternity pay period is the week after the employee leaves work or starts her maternity leave.

To claim SMP the employee must give 28 days' written notice of when she wishes her SMP payments to commence

The amount of SMP entitlement will vary depending upon earnings and the amount of maternity leave taken: the first six weeks are paid at 90% of average weekly earnings, followed by the lesser of either 90% of average earnings or the lower statutory weekly rate for up to 33 weeks.

SMP is paid on the same date that pay would have been paid, and is subject to deductions for Tax, National Insurance and Pension Contributions

Employees who do not qualify for SMP may be entitled to claim state Maternity Allowance.

CONTRACTUAL BENEFITS

Employees who are absent on Ordinary Maternity Leave (OML) are entitled to the following:

They will continue to accrue holiday entitlement (which may either be taken before the start of maternity leave or within 12 months of return to work)

All other contractual benefits will also continue.

During the period of Additional Maternity Leave (AML) the contract of employment remains in existence, but the employee will cease to receive contractual benefits during this time. The employee will however continue to accrue Statutory Holiday under the Working Time Regulations.

An employee returning to work after ordinary maternity leave has the right to return to the same job. The right to return following additional maternity leave is to the same job unless this is not reasonably practicable, but any alternative job must be both suitable and appropriate. The terms must be no less favourable than those which would have applied had the employee not been absent on maternity leave

RISK ASSESSMENTS



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Immediately an employee notifies us of her pregnancy, a separate, individual risk assessment will be undertaken to ensure that all practicable measures are taken to prevent the risk of damage to the health or safety of the mother or her unborn child. Any employee who has concerns about her health and safety should raise these with her line manager

FLEXIBLE WORKING

An employee who wishes to change her working pattern or hours on her return from maternity leave must apply to do so following the procedure for requesting flexible working arrangements.

Please see the Policy on Flexible Working to understand how this application should be made and how the company will respond

PATERNITY LEAVE

Working fathers (or an adoptive parent who is not taking adoption leave) are entitled to two weeks' paid paternity leave. Paternity leave is paid at the same rate as lower rate SMP

This entitlement applies to (an) employee(s) who:

- Is the natural or adoptive father of a child born, or placed with them for adoption
- Has a minimum of 26 weeks' continuous service ending with the week immediately preceding the 14th week before the expected week of the child's birth (or placement)
- Can demonstrate that he/she has (or expects to have) responsibility for the child's upbringing or is married to (or the partner of) the child's mother
- Has earnings which on average are at least equal to the lower earnings limit for NI contributions

Leave must be taken during the eight-week period beginning with the child's birth date (or placement with its new parents for adoption).

In the case of adoption, where a child is adopted jointly, either of the adoptive parents may take a two-week period of paternity leave. The partner of an individual who is adopting will also be able to qualify for paternity leave and pay if they can demonstrate that they are to share responsibility for the child's upbringing

The employee must notify us of the date on which he intends to take paternity leave by the end of the 15th week before the mother's expected week of childbirth (EWC). For adoptive fathers, notification must be within seven days of the date on which the adopter has been officially notified of having been matched with the child

Once the start date of the leave has been notified, employees may amend this, but must provide us with 28 days' notice of the new start date.

ADOPTIVE LEAVE

One adoptive parent (of either sex) will be entitled to 39 weeks' paid adoption leave, followed by a further 13 weeks' unpaid leave, making a total of 52 weeks' leave.

To qualify the employee must:

- Be the adopter of a child aged up to 18 years



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- Have at least 26 weeks' continuous employment by the end of the week in which he/she is notified of having been matched with the child
- Have notified the adoption agency that he or she agrees that the child should be placed with him or her and the date of placement

Only one person may take adoption leave in respect of a child at any time - where a couple is adopting a child jointly, one may take adoption leave and the other may take paternity leave (see above)

Ordinary adoption leave may begin on the actual date on which the child is placed with the employee, or it may start on a predetermined date which falls within the period from 14 days before the child is placed until 14 days after the placement

NOTIFICATION REQUIREMENTS

The employee must give us notice of intention to take statutory adoption leave, specifying the date of placement and the date on which he/she wishes to commence his/her leave.

This must be given within seven days of the date on which he/she is notified of having been matched with the child. Documentary evidence which shows the name and address of the adoption agency, the name and date of birth of the child, and date of notification of matching and the expected date of placement are also requested. The employee may vary the start date of the leave at a later date by giving us at least 28 days' notice

CONTRACTUAL BENEFITS

During the first 26 weeks, the employee is entitled to benefit from all of the terms and conditions of employment which would apply if he/she not been absent, with the exception of remuneration. Employees will continue to accrue holiday entitlement (which may either be taken before the start of the adoption leave or within twelve months of return to work), and all other contractual benefits will also continue

During the second 26 weeks, the employment contract remains in existence, but the employee does not have the right to benefit from all the terms and conditions of his/her employment. Statutory holiday will however continue to accrue under the Working Time Regulations

An employee returning to work after statutory adoption leave has the right to return to the same job unless this is not reasonably practicable, but any alternative job must be both suitable and appropriate. The terms must be no less favourable than those which would have applied had the employee not been absent on adoption leave

STATUTORY ADOPTION PAY

Statutory adoption pay is paid at the lesser of either 90% of normal weekly earnings or the fixed weekly rate during the first 39 weeks' of adoption leave. The remaining 13 weeks are unpaid

NOTIFICATION OF RETURN

If the employee intends to return to work at the end of the ordinary or additional adoption leave, he/she need do nothing further. If however, the employee wishes to return to work earlier than this, at least 56 days' (eight weeks) notice of the date of intended return must be given. If the employee fails to give the minimum 56 days' notice we may postpone his/her return until 56 days' notice has been given



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Any employee who wishes to change his/her working pattern or hours on return from adoption leave must apply to do so following the proper procedure for requesting flexible working arrangements

IMPLEMENTATION AND MONITORING

Signed

..... Date:.....