

AGE UK EXETER

Controlled Document

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Amendments to: Governance Officer

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Document Location: www.ageuk.org.uk/exeter/about-us/policiesandguidelines/

Document Description

This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth and sets out the arrangements for pregnancy-related sickness, health and safety, and maternity leave.

This document should be read in conjunction with Staff Terms & Conditions and Time off for Antenatal Appointments Policy.

Implementation & Quality Assurance

Implementation is immediate and this framework shall stay in force until any alterations are agreed.

All aspects of this document shall be open to review at any time. If you have any comments or suggestions on its content, please contact Chief Executive Officer at info@ageukexeter.org.uk or at Age UK Exeter, The Sycamores, Mount Pleasant Road, Exeter, EX4 7AE, 01392 202092.

Maternity Policy

1. ABOUT THIS POLICY

- 1.1 This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth and sets out the arrangements for pregnancy-related sickness, health and safety, and maternity leave.
- 1.2 Arrangements for time off for antenatal care and to accompany a pregnant woman to antenatal appointments are set out in our Time off for Antenatal Appointments Policy.
- 1.3 In some cases, you and your spouse or partner may be eligible to opt into the shared parental leave (SPL) scheme which gives you more flexibility to share the leave and pay available in the first year. You will need to give us at least eight weeks' notice to opt into SPL, and you must remain on maternity leave until at least two weeks after birth. For information about SPL, see our Shared Parental Leave (Birth) Policy.
- 1.4 This policy only applies to employees and does not apply to agency workers or self-employed contractors. This policy does not form part of any employee's contract of employment, and we may amend it at any time

2. ENTITLEMENT TO MATERNITY LEAVE

All employees are entitled to up to 52 weeks' maternity leave, consisting of 26 weeks' ordinary maternity leave (**OML**) and 26 weeks' additional maternity leave (**AML**).

3. NOTIFICATION

- 3.1 Please inform us as soon as possible that you are pregnant. This is important as there may be health and safety considerations. We will carry out maternity risk assessments regularly throughout your pregnancy and after giving birth to ensure the health and safety of both you and your baby.
- 3.2 Before the end of the fifteenth week before the week that you expect to give birth (**Qualifying Week**), or as soon as reasonably practical afterwards, you must tell us:
 - (a) the week in which your doctor or midwife expects you to give birth (**Expected Week of Childbirth**); and
 - (b) the date on which you would like to start your maternity leave (**Intended Start Date**).
- 3.3 We will write to you within 28 days to tell you the date we will expect you to return to work if you take your full maternity leave entitlement (**Expected Return Date**).

- 3.4 Once you receive a certificate from a doctor or midwife confirming your Expected Week of Childbirth (MATB1), you must provide us with a copy.

4. STARTING MATERNITY LEAVE

- 4.1 The earliest you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).
- 4.2 If you want to change your Intended Start Date please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new expected return date.
- 4.3 Your maternity leave should normally start on the Intended Start Date. However, it may start earlier if you give birth before your Intended Start Date, or if you are absent for a pregnancy-related reason in the last four weeks before your Expected Week of Childbirth. In either of those cases, maternity leave will start on the following day.
- 4.4 Shortly before your maternity leave is due to start we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events.
- 4.5 The law says that we cannot allow you to work during the two weeks following childbirth.

5. MATERNITY PAY

- 5.1 Statutory maternity pay (**SMP**) is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks SMP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year.

6. DURING MATERNITY LEAVE

- 6.1 With the exception of terms relating to pay, your terms and conditions of employment remain in force during OML and AML.
- 6.2 Annual leave entitlement will continue to accrue during maternity leave at the rate provided under your contract. If your maternity leave will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your maternity leave can be carried over and must be taken immediately before returning to work **OR** within three months of returning to work unless your manager agrees otherwise. You should try to limit carry over

to one week's holiday or less. Carry over of more than one week is at your manager's discretion. Please discuss your holiday plans with your manager in good time before starting your maternity leave. All holiday dates are subject to approval by your manager.

- 6.3** If you are a member of the pension scheme, we shall make employer pension contributions during OML and any period of paid AML, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any maternity pay you are receiving, unless you inform the Finance Department that you wish to make up any shortfall.

7. KEEPING IN TOUCH

- 7.1** We may make reasonable contact with you from time to time during your maternity leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.
- 7.2** You may work (including attending training) on up to ten "keeping-in-touch" days during your maternity leave. This is not compulsory and must be discussed and agreed with your line manager.
- 7.3** You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any maternity pay entitlement. Alternatively, you may agree with your line manager to receive the equivalent paid time off in lieu.

8. RETURNING TO WORK

- 8.1** You must return to work on the Expected Return Date unless you tell us otherwise. If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the Expected Return Date if you request annual leave or parental leave, which will be at our discretion.
- 8.2** You are normally entitled to return to work in the position you held before starting maternity leave, and on the same terms of employment. However, if you have taken AML and it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.
- 8.3** If you want to change your hours or other working arrangements on return from maternity leave you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.
- 8.4** If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

Revision History

Revision date	Summary of Changes	Other Comments
10.2.2022	New document using HR Express template.	Approved by Board of Trustees 10 February 2022 Next review due January 2025