

Maternity Leave

Workday aims to provide a supportive environment to expectant mothers and this policy outlines useful information and responsibilities you should be aware of if you are pregnant or have recently given birth. It also sets out the arrangements for ante-natal care, pregnancy-related sickness, health and safety, and maternity leave. It does not apply to agency workers or the self-employed.

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 leave and pay available in the first year after birth. However, you must take a period of compulsory maternity leave first. Details of SPL are set out in our Shared Parental Leave Policy.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

Notification

We ask that you inform us as soon as possible that you are pregnant by filling out the [Intention to Take Maternity Leave form](#). This is important as there may be health and safety considerations.

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) That you are pregnant;
- b) The week, starting on a Sunday, in which your doctor or midwife expects you to give birth (Expected Week of Childbirth); and c) The date on which you think you would like to start your maternity leave (Intended Start Date).

You should also provide a MATB1 certificate from your doctor or midwife, confirming your Expected Week of Childbirth.

You may use the 'Notice of Intention to take Maternity Leave' form to notify us of your pregnancy and intention to take the leave.

Time off for ante-natal care

We want to support expectant mothers and if you are pregnant you may take reasonable paid time off during working hours for ante-natal care. To help us to manage workloads we ask that you try to give as much notice as possible of your appointments and if requested you should provide an appointment card.

Sickness

Periods of pregnancy-related sickness absence shall be paid in accordance with our Sickness Absence Policy. If you are absent for a pregnancy-related reason during the four weeks before your Expected Week of Childbirth, your maternity leave will usually start automatically.

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Health and safety

We are required to carry out a risk assessment to assess the workplace risks to women who are pregnant, have given birth within the last six months or are still breastfeeding. Following the risk assessment, we will provide you with information as to any risks identified, and any preventive and protective measures that have been or will be taken. If we consider that you would be exposed to health hazards in carrying out your normal work we will take such steps as are necessary (for as long as they are necessary) to avoid those risks. This may involve changing your working conditions, hours of work or offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable. In extreme situations, this could also include suspending you from work, which will be with full pay unless you have unreasonably refused suitable alternative work.

Entitlement to maternity leave

Provided you comply with the notification requirements set out above, you are entitled to up to 52 weeks' maternity leave which is divided into:

- a) Ordinary maternity leave of 26 weeks (OML).
- b) Additional maternity leave of a further 26 weeks immediately following OML (AML).

The earliest date you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).

Once you notify us of your pregnancy and Intended Start Date, the People and Purpose Department will usually meet with you to answer any questions you may have. We will then write to you within 28 days to outline the dates on which your leave will begin and end if you take your full entitlement to maternity leave (Expected Return Date).

You can postpone your Intended Start Date by informing us in writing at least 28 days before the original Intended Start Date, or if that is not possible, as soon as reasonably practicable. You can also bring forward the Intended Start Date by informing us at least 28 days before the new start date, or if that is not possible, as soon as reasonably practicable.

Maternity leave will start on the earlier of:

- a) your Intended Start Date; or
- b) the day after any day on which you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth;
or
- c) the day after you give birth.

If you give birth before your maternity leave was due to start, you must let us know the date of the birth in writing as soon as possible. The law prohibits you from working during the two weeks following childbirth therefore this is the minimum amount of maternity leave which you can take.

Shortly before your maternity leave starts your manager 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 internal circulation lists.

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Entering leave dates in Workday

Your Manager or People and Purpose Manager/Partner will enter your leave dates in Workday.

Occupational Maternity Pay (OMP)

We want to support expectant mothers in caring for their child and as such where an employee meets the requirements for SMP, Workday will top up their pay during the first 26 weeks of maternity leave to the amount of their contractual base pay. This is inclusive of the employee's statutory maternity pay (SMP) entitlement during that period.

For employees who meet this service requirement, SMP will usually be payable for up to a further 13 weeks at the prescribed rate (see below).

Statutory Maternity Pay (SMP)

Maternity pay will stop being payable if you return to work (except where you are simply keeping in touch). You are entitled to SMP if:

- a) you have been continuously employed for at least 26 weeks at the end of the Qualifying Week and are still employed by us during that week;
- b) your average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the Government;
- c) you provide us with a doctor's or midwife's certificate (MAT B1 form) stating your Expected Week of Childbirth;
- d) you give at least 28 days' notice (or, if that is not possible, as much notice as you can) of your intention to take maternity leave; and e) you are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.

SMP is calculated as follows:

- a) First six weeks: SMP is paid at the Earnings-Related Rate of 90% of your average weekly earnings calculated over the Relevant Period;
- b) Remaining 33 weeks: SMP is paid at the Prescribed Rate which is set by the Government for the relevant tax year, or the Earnings-Related Rate if this is lower.

SMP accrues from the day on which you commence your OML and thereafter at the end of each complete week of absence. SMP payments shall be made on the next normal payroll date and income tax, National Insurance and pension contributions shall be deducted as appropriate.

You shall still be eligible for SMP if you leave employment for any reason after the start of the Qualifying Week (for example, if you resign or are made redundant). In such cases, if your maternity leave has not already begun, SMP shall start to accrue in whichever is the later of:

- a) the week following the week in which employment ends; or b) the eleventh week before the Expected Week of Childbirth.

If you become eligible for a pay rise before the end of your maternity leave, you will be treated for SMP purposes as if the pay rise had applied throughout the Relevant Period. This means that your SMP will be recalculated and increased retrospectively, or that you may qualify for SMP if you did not previously qualify. We shall pay you a lump sum to make up the difference between any SMP already paid and the amount payable by virtue of the pay rise. Any future SMP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

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Terms and conditions during OML and AML

All the terms and conditions of your employment remain in force during OML and AML, except for the terms relating to pay. In particular:

- a) benefits in kind such as life insurance, health insurance and use of a company vehicle if applicable will continue;
- b) annual leave entitlement under your contract continues to accrue
- c) pension benefits continue if you are a member (see below for further details)

Annual leave

Annual leave entitlement will continue to accrue 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 leave can be carried over. You should try to limit carry over to one week's holiday or less. Please discuss your holiday plans with your manager in good time before starting Maternity leave. All holiday dates are subject to approval by your manager.

Our holiday year runs from 1 January to 31 December.

Pensions

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid Maternity Leave, 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 People and Purpose Department that you wish to make up any shortfall. Where pension contributions are made by salary sacrifice then different rules will apply, please contact the People and Purpose Department for details of the applicable rules at the time.

Redundancies during maternity leave

In the event that your role is affected by a redundancy situation occurring during your maternity leave, we will inform you of any proposals and invite you to a meeting before any final decision is reached as to your continued employment. Employees on maternity leave shall be given first refusal on any suitable alternative vacancies that are appropriate to their skills.

Keeping in touch (KIT)

We aim to stay in touch with employees during maternity leave. You are welcome to contact your manager or People and Purpose Department at any time. Keeping in touch should be mutual and by agreement. If you feel that your contact is too little or too much, you should let your manager know.

You may also work (including attending training) for up to ten days during maternity leave without bringing your maternity leave or SMP to an end (Keeping in Touch Day). If you take this option up, the arrangements will be set by agreement with your line manager or the People and Purpose Department.

Payment during KIT days:

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- If you are not eligible for Occupational Maternity Pay or Statutory Maternity Pay then for any KIT day you will receive a full day of normal/notional salary for the KIT day. If you are a pension member, employee and company pension contributions will be pro-rated for the days worked.
- Weeks 1 to 26 – during this time if you are in receipt of full pay (Occupational Maternity Pay) you will not receive additional salary for attending during a KIT day since you are already being paid in full and pension contributions being made in the usual way.
- Weeks 26 to 39 – during this time you will receive a full day of normal/notional salary which will include your SMP entitlement for the KIT day. The Company will already be continuing to make employer contributions to your pension during this time and if you attend a KIT day we will not deduct Employee contributions from your KIT day salary.
- Weeks 39 to 52 – during this time you will receive a full day of normal/notional salary for the KIT day. If you are a pension member, employee and company pension contributions will be pro-rata for each KIT day.

You are not obliged to undertake any such work during maternity leave and you must not work in the two weeks following the birth of your child.

Shortly before you are due to return to work, we may invite you to have a discussion (whether in person or by telephone) about the arrangements for your return. This may cover:

- a) updating you on any changes that have occurred during your absence;
- b) any training needs you might have; and
- c) any changes to working arrangements.

Returning to work

Once you have notified us in writing of your Intended Start Date, we will send you a letter, usually within 28 days to inform you of your Expected Return Date. If your start date has changed (either because you gave us notice to change it, or because maternity leave started early due to illness or premature childbirth) we will write to you again within 28 days of the start of maternity leave with a revised Expected Return Date.

We will expect you back at work on your Expected Return Date unless you tell us otherwise. It will help us if, during your maternity leave, you are able to confirm that you will be returning to work as expected.

You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

However, if you have taken any period of Additional Maternity Leave, or more than four weeks' parental leave, 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.

Returning early

If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice. It is helpful if you give this notice in writing. If not enough notice is given, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

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Returning late

If you wish to return later than the Expected Return Date, you should either:

- a) request unpaid parental leave (see Parental Leave Policy), giving us as much notice as possible but not less than 21 days b)
- request paid annual leave in accordance with your contract, which will be at our discretion

If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply. In any other case, late return will be treated as unauthorised absence.

If you initially did not take the full 52 weeks and wish to return later than the initial Expected Return Date (e.g. you had taken 39 weeks, but have decided to take 52 weeks), you must inform us of your new end date, at least eight weeks before your original end date.

Deciding not to return

If you do not intend to return to work, or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract of employment. The amount of maternity leave left to run when you give notice must be at least equal to your contractual notice period, otherwise we may require you to return to work for the remainder of the notice period. This does not affect your right to receive SMP.

Returning to work part-time

We will deal with any requests by employees to change their working patterns (such as working part-time) after maternity leave on a case-by-case basis. There is no absolute right to insist on working part-time, but you do have a statutory right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our business. It is helpful if requests are made as early as possible. The procedure for dealing with such requests is set out in our Flexible Working Policy.

Switching to Shared Parental Leave

In some cases, you and your spouse or partner may be eligible to opt into the Shared Parental Leave scheme which gives you more flexibility to share the leave and pay available in the first year after birth. Your partner should check with their employer whether they are eligible.

You would need to give us at least eight weeks' written notice to end your maternity leave and opt into SPL by completing the [‘Statutory Maternity Leave and Pay Curtailment Notice’](#) form. You can give this notice before or after the birth, but you must remain on maternity leave until at least two weeks after the birth. You would then be able to share any remaining leave with your partner. For further information about how SPL works, see our Shared Parental Leave Policy.

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This policy only applies to employees and does not apply to agency workers or the self-employed. This policy does not form part of any employee's contract of employment and we may amend it at any time.