

Title of Document	Maternity Policy
Name of Department	People Team

What type of document is this?	Policy	
Which Helping Hands POL/SOP/W.I does this document relate to?		Reference number of POL/SOP/W.I

Which Operational Priority/Priorities does this document link to?	Governance Framework	People, Performance & Culture		

Custodian of document	Chief People Officer	Committee/Group responsible for this document	Policy Committee
Approval date and committee chairperson signature	01/05/25	When is its next scheduled review?	01/05/28

Who does it apply to?	All Helping Hands staff at the facility				
	Does it apply to bank workers?	No	Does it apply to agency staff?	No	Does it apply to third party contractors?

Purpose of the Policy	Having a child is a life-changing event and there's lots to think about. This policy aims to explain to pregnant employees exactly what they can expect when they go on maternity leave. If employees have any questions, they should contact the People Team in the first instance.				
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ROLES AND RESPONSIBILITIES

Role	Responsibility
Chief People Officer	Is responsible for reviewing and updating this policy and ensuring that the policy is communicated across the company through the Senior Management Team(s)
Helping Hands Managers	Is responsible for implementing and embedding this policy within all teams across the company
Helping Hands Employees	Is responsible for adhering to this policy as directed by line managers

1. Introduction

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. It does not apply to agency or self-employed workers.

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 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.

2. Notification of Pregnancy

You should inform us as soon as possible that you are pregnant. This is important as there may be health and safety considerations.

Before the end of the Qualifying Week, (i.e. the fifteenth week before the expected week of childbirth) or as soon as reasonably practical, you must tell us:

- That you are pregnant
- You must provide a certificate from a doctor or midwife (usually on a MAT B1 form) confirming your Expected Week of Childbirth and the date on which you would like to start your maternity leave (**Intended Start Date**)

Once you have notified us of your pregnancy, we will write to you within **28 days** confirming your start and end dates.

3. Health and Safety

Once you have notified us of your pregnancy, we will carry out a risk assessment and identify any preventive and protective measures that we consider we need to take. We will take such steps as

necessary to avoid any risks identified affecting your health and safety as a new or expectant mother or that of your baby. This may involve:

- Changing your working conditions or hours of work
- Offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable

4. Entitlement to Maternity Leave and Pay

All employees are entitled to up to **52 weeks'** maternity leave, which is divided into:

- Ordinary maternity leave of **26 weeks (OML)**
- Additional maternity leave of a further **26 weeks** immediately following OML (**AML**)
 - You have been continuously employed for at least **26 weeks** at the end of the Qualifying Week (The fifteenth week before your expected week of childbirth) and are still employed by us during that week
 - You provide us with a doctor's or midwife's certificate (MAT B1 form) stating your Expected Week of childbirth
 - You provide at least **28 days'** notice (or, in instances where that is not possible, as much notice as you can) of your intention to take maternity leave; and
 - You are still pregnant **11 weeks** before the start of the Expected Week of Childbirth or have already given birth

5. Maternity Pay Calculations

Statutory maternity pay (SMP) is payable for up to **39 weeks**. SMP will stop being payable if you return to work):

- 8 weeks prior to the Qualifying Week we will calculate your average weekly earnings and ensure your average pay is no less than the statutory limit set by the government

SMP is calculated as follows:

- **First 6 weeks:** SMP is paid at the 90% of your average weekly earnings
- **Remaining 33 weeks:** SMP is paid at the statutory limit set by the government for the relevant tax year, or your average weekly earnings whichever 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 are made on the next normal payroll date and income tax, National Insurance and pension contributions are deducted as appropriate.

You are still 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 starts to accrue in whichever is the later of:

- The week following the end of your employment; or
- 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.

6. Time off for Antenatal Care

Pregnant employees are entitled to reasonable time off work to attend antenatal appointments. Antenatal care includes appointments with a GP, midwife, hospital clinical, and relaxation classes that are taken under medical advice. If possible, appointments should be arranged at the start or end of the working day to reduce disruption.

Pregnant employees should inform their manager about the appointments as soon as practicable, and provide a copy of the appointment details. All time off will be paid at the employees' normal rate of pay.

Expectant fathers, spouses, partners or civil partners of pregnant women may be entitled to unpaid time off to attend two antenatal appointments – refer to the Paternity Leave policy for further details.

7. Sickness

Periods of pregnancy-related sickness absence shall be paid in accordance with the Absence Management Policy.

Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions.

If you are absent for a pregnancy-related reason during the four weeks before your Expected Week of Childbirth, we may bring your maternity leave forward.

8. Starting Maternity Leave

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).

You can postpone or bring forward your Intended Start Date by informing us in writing at least **28 days** before the original Intended Start Date, or as soon as possible.

Your maternity leave will start on the earliest of:

- your Intended Start Date (if notified to us in accordance with this policy)
- 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. If this happens you must let us know as soon as possible in writing. Maternity leave will be triggered unless we agree to delay it
- 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

Shortly before your maternity leave starts, 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.

9. Keeping in Touch

We may make reasonable contact with you from time to time during your maternity leave. Before you go on maternity leave, we will book in a Maternity Leavers meeting to discuss with you how you would like to stay in touch.

You may work (including attending training) for up to **10 days** during maternity leave without bringing your maternity leave or SMP to an end. If you work more than 10 keeping in touch days, your maternity leave and pay will end automatically.

Keeping in touch days are not compulsory and must be discussed and agreed with your Line Manager. In any case, you must not work in the two weeks following childbirth.

It is up to you to agree with your line manager:

- If you want to work Keeping in touch days
- How many days you want to take
- What type of work you will be undertaking on the days

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.

Keeping in touch days can only be taken in full or half days. Please note payment for part days will be issued upon completion of a full day.

10. 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:

- benefits in kind such as life insurance and health insurance and pension, if applicable shall continue
- annual leave entitlement under your contract shall continue to accrue

11. Annual Leave

During OML and AML, holiday entitlement will accrue at the rate provided under your contract.

Our holiday year runs from 1 April to 31 March. Any unused annual leave entitlement that cannot reasonably be taken before starting your maternity leave and any annual leave accrued during your maternity leave must be taken immediately before returning to work.

You should discuss your holiday plans with your manager in good time before starting your maternity leave. All annual leave dates are subject to approval by your Line Manager.

12. Pensions

During OML we shall continue to make any employer contributions that we usually make into the Company's pension scheme, based on what your earnings would have been if you had not been on maternity leave [provided that you continue to make contributions based on the maternity pay you are receiving]. If you wish to increase your contributions to make up any shortfall from those based on your normal salary, then please contact your Line Manager.

During unpaid AML we shall not make any payment into the Company's pension scheme. You do not have to make any contributions, but you may do so if you wish, or you may make up for missed contributions.

13. Returning to Work

Maternity leave must be taken for the first two weeks following childbirth to comply with legislative requirements.

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

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:

- updating you on any changes that have occurred during your absence
- any training needs you might have; and
- any changes to working arrangements (for example if you have made a request to work part-time; see paragraph 17)

14. Changing Your Return Date

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

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

- request unpaid parental leave [in accordance with our Parental Leave Policy], giving us as much notice as possible but not less than **21 days**: or
- 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.

15. Neonatal leave & pay

From the 6th April 2025, all employees, irrespective of service, will be entitled to take a period of neonatal leave for a period of up to 12 weeks if their baby needs 'neonatal care'.

Neonatal care means care:

- Of a medical or palliative kind that is specified in The Neonatal Care (Leave and Pay) Act 2003.

- That starts before the end of a period of 28 days beginning with the day after the date of the child's birth.

Employees are entitled to neonatal care leave only where the neonatal care continues without interruption for at least 7 days beginning with the day after the day on which the care starts. The leave must be taken before the end of the 68 weeks beginning with the date of the child's birth.

Eligible employees will have the same employment rights and protections as parents taking other relevant family related leave.

If an employee requires Neonatal leave/ pay, they must inform their line manager as soon as practicably possible or contact the People Team on hrhub@helpinghands.co.uk

16. 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. 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.

Once you have given notice that you will not be returning to work, you cannot change your mind without our agreement.

This does not affect your right to receive SMP.

17. Your Rights When You Return

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

If you return to work after taking **26 weeks** of maternity or less with 'ordinary maternity leave or OML', you have the right to return to the same role.

If you have taken more than **26 weeks** maternity leave 'additional maternity leave or AML', you will still have the right to return to your role on the same terms and conditions as you left. However, if this is no longer reasonably possible due to significant changes within the organisation, you will be offered a similar suitable role on terms and conditions that are no less favourable. For example, the following will be the same:

- Pay
- Benefits
- Holiday entitlement

- Seniority
- Where the job is

However, if you have taken any period of 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.

18. Flexible Working

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.

19. Data protection

When dealing with substance misuse we will process any personal data collected in accordance with our **Data Protection Policy (Privacy Information Policy)** which can be found on the company website). In particular, we will record only the personal information required and keep the information only for as long as necessary.

TRAINING

Is training required?	No
Details of training	

COMPLIANCE

How is compliance with the POL going to be monitored	Change in company process will be monitored to ensure that the document will be reviewed if necessary.
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EQUALITY IMPACT ASSESSMENT AND PROCEDURAL INFORMATION

	Positive / Negative / N/A	Comments
Does the document have a positive or negative impact on one group of people over another on the basis of their:		
• age?	N/A	
• disability?	N/A	

• gender reassignment?	N/A	
• pregnancy and maternity (which includes breastfeeding)?	Positive	
• race (including nationality, ethnic or national origins or colour)?	N/A	
• marriage or civil partnership?	N/A	
• religion or belief?	N/A	
• sex?	N/A	
• sexual orientation?	N/A	
If you have identified any potential impact (including any positive impact which may result in more favourable treatment for one particular group of people over another), are any exceptions valid, legal and/or justifiable?		
If the impact on one of the above groups is likely to be negative:		
• Can the impact be avoided?	N/A	
• What alternatives are there to achieving the document's aim without the impact?	N/A	
• Can the impact be reduced by taking different action?	N/A	
• Is there an impact on staff, client or someone else's privacy?	N/A	

What was the previous version number of this document?	Version 02	
Changes since previous version	<ul style="list-style-type: none"> ○ Addition of Neonatal Care ○ Changed format to reflect Sexual Harassment Policy Format. ○ Amended any reference to 'HR' to 'People team'. ○ Amended any wording to reflect 'employee'. 	
Who was involved in developing/reviewing /amending the POL?	People Advisor Team Lead	
How confidential is this document?	Restricted	Can be shared freely within Helping Hands but NOT outside

References	Employment Law
Associated Documents	