Maternity Leave Policy

Statement

We are committed to supporting expectant and new mothers by providing comprehensive leave, pay and advice. This policy applies only to staff.

Definitions

Maternity leave: the period of time you take off work to have a child(ren).
Maternity pay: payments made to you during your maternity leave.
Week: for maternity purposes, a week is 7 days starting at the midnight between Saturday and Sunday.
Expected Week of Childbirth (EWC): the week that the child is expected to be born.
MAT B1: a certificate supplied by your doctor, midwife or health visitor to indicate your expected date of childbirth.
Qualifying Week (QW): 15th week before the EWC.
Full pay: includes gross pay and payments that are planned and regular. Changeable payments such as overtime, bonuses, media/on-call allowances and temporary allowances are not included.
Average weekly earnings: average earnings during the eight weeks preceding your QW. This includes all payment types (bonuses, overtime, etc).
Higher rate of Statutory Maternity Pay (SMP): 90% of your average weekly earnings.
Lower rate of Statutory Maternity Pay (SMP): the lesser of 90% of your average weekly earnings or a State set amount, that is normally increased in April of each year.
Continuous Service: the period of uninterrupted employment.
Childbirth: live birth, or a pregnancy, lasting 24 weeks or more.

Eligibility

All women whose babies are due on or after 1 April 2007 are entitled to at least 52 weeks unpaid maternity leave. You are entitled to statutory maternity payments where you meet certain earnings and continuous service criteria.

Entitlement

The table below provides an overview of Maternity Leave and Pay entitlements.

<table>
<thead>
<tr>
<th>Length of Continuous Service by end of QW</th>
<th>Type</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any</td>
<td>Ordinary</td>
<td>52 weeks unpaid leave</td>
</tr>
<tr>
<td>Greater than 26</td>
<td>Occupational</td>
<td>20 weeks at full pay, followed by 19 weeks at the lower rate of SMP and 13 weeks unpaid leave</td>
</tr>
</tbody>
</table>

In the unfortunate event of childbirth not occurring, sick pay rather than maternity pay becomes payable. Leave that may be taken after sickness absence leave ends will be agreed through discussion with the manager. This may include a combination of leave such as compassionate leave, annual leave and leave without pay. Where a pregnancy lasts 24 weeks or more, employees are entitled to their full maternity leave and pay entitlement.
You are responsible for notifying us if, while receiving maternity pay from Breakthrough, you work for another employer, who you did not work for during your QW.

**Ordinary**

You can take up to 52 weeks unpaid leave. You may also be eligible for a maternity allowance, or other benefits, which are paid by the Jobcentre Plus local to your home address.

<table>
<thead>
<tr>
<th>1</th>
<th>20</th>
<th>39</th>
<th>52</th>
</tr>
</thead>
<tbody>
<tr>
<td>unpaid</td>
<td></td>
<td></td>
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</tr>
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</table>

**Occupational (>26 weeks service by the QW)**

The length of the Maternity Leave remains the same as for Ordinary Maternity Leave. Part of the leave period, however, includes maternity pay.

<table>
<thead>
<tr>
<th>1</th>
<th>20</th>
<th>39</th>
<th>52</th>
</tr>
</thead>
<tbody>
<tr>
<td>full pay</td>
<td>lower rate of SMP</td>
<td>unpaid</td>
<td></td>
</tr>
</tbody>
</table>

**Starting maternity leave**

You can choose when to start your maternity leave, provided this is not earlier than 11 weeks before your EWC. If you are absent from work wholly or partly because of your pregnancy during the last 4 weeks before your EWC, your maternity leave will start automatically. If you give birth before the start date you chose, or before you notify Breakthrough, your maternity leave automatically starts on the day after you give birth.

**Returning to your job**

On your return from maternity leave you will normally resume your original job. In the very rare instances where this is not possible, you will be offered suitable and appropriate alternative employment, wherever this is possible.

**Compulsory leave**

You are not able to return to work for two weeks after you have given birth. In certain circumstances this period may be four weeks. If you exhaust your maternity leave because your baby arrives later than expected, your maternity leave entitlement will be extended to cover these two (or four) weeks.

**Maternity date timeline**

<table>
<thead>
<tr>
<th>Weeks before EWC</th>
<th>QW</th>
<th>Earliest you can start your maternity leave</th>
<th>Maternity related sickness absence on or after the 4th week triggers maternity leave</th>
<th>You are not able to return to work for 2 or 4 weeks depending on your job</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 0</td>
<td>EW C</td>
<td>+1 +2 +3 +4</td>
<td>EW C</td>
<td>+1 +2 +3 +4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weeks after conception</th>
<th>25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40</th>
</tr>
</thead>
<tbody>
<tr>
<td>EW C</td>
<td>+1 +2 +3 +4</td>
</tr>
</tbody>
</table>
Flexible working

Applications for flexible working practices such as part-time, compressed hours, flexi-time and job sharing may be made by maternity leavers and carers of adults. Every effort will be made to balance your needs and those of Breakthrough. If you would like to stagger your return to work, or change your working pattern or hours on your return, you should discuss this with your manager.

Fixed term contracts

If your contract end date falls within the period of maternity leave, any Breakthrough maternity pay and benefits will continue up to the termination of the contract. If you are eligible to receive maternity pay and your contract ends before you receive your full entitlement, Breakthrough will continue to pay you SMP until 39 weeks has been reached.

If your contract continues past the end of your maternity leave, you have the right to return to the same job as before. During your maternity leave, any extension to the fixed term contract will be considered in the same way as if you had been at work.

Your benefits

Contractual benefits

You will continue to receive your contractual benefits when on maternity leave, with the exception of pay. Maternity pay replaces your normal pay if you are entitled to receive it.

Pensions

During paid maternity leave, Breakthrough will continue to make employer contributions based on your pensionable pay before you started maternity leave. Your own contributions continue but will be based on your actual earnings during paid maternity leave.

Breakthrough’s contributions will stop during any period of unpaid maternity leave. You can continue paying contributions by means of a direct debit rather than through a payroll deduction.

Ante-natal care

You are entitled to take reasonable paid time off to keep ante-natal appointments made on the advice of a registered medical practitioner, midwife or health visitor. As with all private appointments, you should try to book these at a time that will cause as minimal work disruption as possible.

Holiday

Your contractual annual leave entitlement will accrue throughout your maternity leave. We encourage you to take your full year’s entitlement before you go on maternity leave. Depending on the timing of your maternity leave, we recognise that this may not always be possible. In these circumstances, your remaining entitlement will accrue into the following holiday year’s entitlement. You will then be able to either add this to the end of your maternity leave or trade a period at the end of the unpaid portion of your leave and remain out of the office on paid annual leave before returning to your place of work at the end of your maternity leave. As these choices impact any cover arrangements made for your maternity leave, please discuss and agree these, in advance, with your manager.

“Keeping in touch”

You can, by mutual agreement with Breakthrough, return to work for up to 10 days during your maternity leave. Where arranged, as much notice as possible will be provided and objectives will be agreed. If you agree to work on a day where you are already earning full pay, you will not receive any further payments for these days. If you are on unpaid leave, you will be paid your normal daily rate and if you are receiving Statutory Maternity Pay, this will be topped up to your normal daily rate for each day you agree to work.
Your responsibilities

Notification of intention to take maternity leave
You should contact Human Resources as early as possible, ideally no later than the 15th week before the EWC, to advise them that you are pregnant. You will be sent a Maternity Leave form. You will need to return the form and your original MAT B1 to Human Resources as soon as you are able to. Not sending your MAT B1 certificate as soon as you receive it may affect your maternity leave and pay entitlement.

Risk Assessment
In order for your manager to carry out a risk assessment with you it is important that you notify your manager as soon as you are aware that you may be pregnant. Necessary arrangements will then be made to reduce any risks to your health or that of your unborn child. If it is safer for you, and your child, you may be offered a suitable alternative job for the duration of your pregnancy and 6 months after giving birth. If no alternative role is available, Breakthrough may place you on paid leave until you are no longer at risk.

Change to intended start date
You can change the date that you wish to start your maternity leave as long as you inform Human Resources of the new start date. Your notification needs to be by the earlier of either 28 days before the date you originally intended to start your leave or 28 days before the new date you want to start your leave.

Change to return to work date
You can return to work before the end of your maternity leave by giving Breakthrough at least 8 weeks written notice of the date on which you wish to return.

Not returning to work
You can resign at any time by writing to your manager and giving your contractual notice. If you resign after reaching your QW you will only receive SMP. If you resign while being paid Occupational Maternity Pay you will be paid statutory rather than Occupational Maternity Pay during your notice period and for any remaining period of paid maternity leave.