

**BRIDGES HULL.**  
**MATERNITY POLICY**

Bridges Hull complies with the statutory scheme of maternity rights currently in force.  
The statutory scheme provides the following:

**(1) Ante-natal care**

Bridges Hull will not unreasonably refuse pregnant employees time off work in order to attend an appointment for ante-natal care. Such an appointment must have been made on the advice of the employee's doctor, midwife or health visitor.

Requests for paid time off work for ante-natal care should, wherever possible, be made at least one week in advance of the proposed ante-natal appointment. Any such requests should be in writing and should be made to the employee's line manager.

Bridges Hull may require the employee to produce a certificate from her doctor, midwife or health visitor, confirming her pregnancy. The employee may also be required to produce her ante-natal appointment card.

Bridges Hull would prefer that ante-natal care should take place outside working hours and, if this is possible, employees are encouraged to arrange it. Part-time employees, particularly, may be able to arrange to attend for ante-natal care outside their working hours.

If it is not possible to arrange ante-natal care outside working hours, in order to minimise inconvenience at work, wherever possible ante-natal appointments should be arranged to coincide with the start or end of the employee's working day. Where time off is permitted during working hours, it will be paid at the employee's normal rate of pay.

(2) **Maternity leave**

The law currently provides two schemes of maternity leave for pregnant employees (both of them subject to the employee's compliance with the notification requirements set out at (3) below)

1. A period of 26 weeks' maternity leave ("ordinary maternity leave") is available to all pregnant employees.
2. A further period of 26 weeks' maternity leave following the date of childbirth ("additional maternity leave") is available to pregnant employees whose expected week of confinement is before 1 April 2007 and who have been continuously employed for 26 weeks at the beginning of the 14<sup>th</sup> week before the expected week of childbirth ("EWC"). All employees whose expected week of childbirth begins or on after 1 April 2007 will be entitled to additional maternity leave.

(3) **Notification arrangements**

In order to qualify for ordinary maternity leave or additional maternity leave ("maternity leave"), a pregnant employee must, in or before the 15<sup>th</sup> week before the EWC, notify her line manager in writing of the following

1. her pregnancy
2. the expected week of childbirth ("EWC"); and
3. the date on which she intends her ordinary maternity leave to start (the notified leave date)

The pregnant employee must enclose with this written notification a certificate (**Form MAT B1**) from her doctor, midwife or health visitor confirming the EWC. Having received this notification, Bridges Hull will, within 28 days, set out in writing the expected date of return from maternity leave, assuming that the employee takes her full entitlement. The employee must give Bridges Hull 28

days' notice (or as much as is reasonably practicable) if she wishes to change the start date for her maternity leave.

Maternity leave may not start earlier than 11 weeks before the EWC nor later than the actual date of the baby's birth (The EWC begins on the Sunday before an employee's baby is due).

If an employee is absent from work wholly or partly because of pregnancy or childbirth during the six weeks before the EWC and she otherwise has the right to maternity leave, then the period of maternity leave will automatically start on the first day of such absence within that six-week period.

**(4) Right to return to work after maternity leave**

An employee who qualifies for maternity leave may return to work at the end of her period of ordinary maternity leave or, where she is entitled to additional maternity leave, the end of her additional maternity leave period. However if she wants to return to work before the end of the maternity leave period, she must give Bridges Hull at least 28 days' notice in writing of her intended return date. If she attempts to return to work early without giving Bridges Hull due notice of her intention to do so, then Bodmin Road may postpone the return so that Bridges Hull does have 28 days' advance notice, or until the end of the maternity leave period, whichever is the earlier. During such a period of postponement Bridges Hull is under no obligation to pay contractual remuneration to the employee.

If your EWC begins on or after 1 April 2007 and you wish to return early you must give Bridges Hull eight weeks' notice in writing of your intended return date. Bridges Hull is not obliged to allow you to return before the end of this eight week period.

**(5) Restrictions on returning to work after any period of maternity leave**

No employee may return to work within two weeks of childbirth.

**(6) Postponing a return to work after a period of additional maternity leave**

If an employee is on additional maternity leave and cannot return to work because she is ill, she can postpone her return as long as she provides Bridges Hull with appropriate medical evidence of her condition. Please note that in some circumstances, if such an employee cannot return to work at the appointed time, she will lose her right to return to work.

**(7) Employee deciding not to return to work**

If an employee decides not to return to work after all, she should notify her line manager of this decision immediately, whether she is on ordinary or additional maternity leave. In any event, the employee should give at least the amount of notice specified in her contract.

**(8) Maternity pay**

Bridges Hull will pay statutory maternity pay (SMP) in accordance with its legal obligations. Currently, in order to qualify for SMP, a pregnant employee must satisfy the following criteria:

1. she must have completed 26 weeks' continuous employment with Bridges Hull by the end of the 15<sup>th</sup> week before her EWC (the qualifying week);
2. she must still be pregnant (or have had her baby by then) at the beginning of the 11<sup>th</sup> week before the EWC;
3. her average earnings must have been at or above the lower earnings limit for national insurance payment purposes for the appropriate period of time (the eight weeks ending with the qualifying week);
4. she must have started her period of maternity leave; and
5. she must have given Bridges Hull written notification in accordance with (3) above (including evidence of the EWC).

For employees whose EWC begins before 1 April 2007 SMP is payable for a maximum period of 26 weeks. **For employees whose expected week of confinement begins on or after 1 April 2007 SMP is payable for a maximum of 39 weeks.** Bridges Hull will pay SMP at the appropriate rate from time to

time. SMP is subject to deductions for tax, national insurance and any other deductions which Bridges Hull may legally make.

If a pregnant employee does not qualify for SMP, she may be able to claim state maternity allowance (SMA). She should claim SMA direct from her local office of the Department for Social Security.

(9) **Contractual benefits and obligations during maternity leave**

An employee on ordinary maternity leave will continue to receive her contractual benefits other than remuneration i.e. wages or salary, during the period of ordinary maternity leave. If such an employee decides not to return to work, all benefits will cease from the date on which her resignation takes effect.

An employee will receive a statement setting out which of her benefits will continue (and confirming the terms on which any such benefit is available) when she starts her maternity leave.

During ordinary maternity leave, an employee is bound by any obligations arising under its contract except in so far as they are inconsistent with their right to take ordinary maternity leave.

During additional maternity leave, an employee is entitled only to the benefit of any terms and conditions of employment relating to:

- (1) notice of termination of her employment contract by Bridges Hull.
- (2) compensation in the event of redundancy;
- (3) disciplinary or grievance procedures.

During additional maternity leave an employee is bound by her implied obligation of good faith; and any terms and conditions that may be relevant relating to notice of termination of contract by her, the disclosure of confidential information, acceptance of gifts or other benefits and the employee's participation in any other business.

## **(10) Holidays**

Employees are encouraged to take accrued outstanding holiday before beginning their maternity leave. Whilst an employee is absent on maternity leave she will continue to accrue holiday entitlement in the usual way.

## **(11) Health and safety**

Bridges Hull will carry out a risk assessment to assess which posts may present particular risks to new or expectant mothers and their babies. If any pregnant employee is employed in a position which has been identified as posing a risk to her health or to that of her unborn child, she will be notified immediately and arrangements will be made to eliminate that risk.

For this reason, all employees are required to notify their line manager as soon as they are aware that they may be pregnant. If appropriate, arrangements will then be made to alter their working conditions, or if that is not possible and such a job is available, they will be offered a suitable alternative job

If there is no suitable alternative job, Bridges Hull has and reserves the right to suspend the employee on full pay until there is no longer a risk. These alternative arrangements may continue after the birth of the child if the employee returns to work and is still considered to be at risk.

If an employee has any concerns about her own health and safety, at any time, she should consult her line manager immediately. Where an employee is suspended from her work in this way then assuming that she qualifies for the statutory rights mentioned above and complies with the notification obligations, her period of maternity leave will normally start at the beginning of the sixth week before the EWC. Assuming that she is entitled to SMP, then, at that stage, payments of SMP (as opposed to normal salary) will start.

## **(12) Working During Maternity Leave**

If your EWC begins on or after 1 April 2007 you can work or undertake training or other activities for the purpose of keeping in touch with the workplace for up to 10 days (a KIT Day) during your maternity leave without bringing your maternity leave to an end or losing your entitlement to SMP. You cannot work during the

two weeks immediately following the birth of your child. Your total period of maternity leave will be unaffected by working on a KIT day.

**(13) Contact During Maternity Leave**

If your EWC begins on or after 1 April 2007 your Employer is entitled to make reasonable contact with you during your maternity leave (for example, to discuss your return to work).