



MATERNITY SCHEME

Introduction

1. The aim of this policy is to inform employees of their rights both before and after the birth of their child, and to ensure pregnant employees and those on maternity leave do not suffer detriment as a result of their situation.
2. This policy applies to employees who are either pregnant or on maternity leave who have an expected week of childbirth (EWC) of 05 October 2008 or later. Entitlements to maternity leave and pay outlined in this policy continue to apply in circumstances where an individual has a still birth during or after the 16th week prior to the EWC.

Notification of pregnancy

3. In order to qualify for maternity benefits an employee should notify her line manager, no later than the end of the fifteenth week before the expected week of childbirth (using the Maternity Leave Notification Form in [Appendix 1](#)), of:
 - The fact that she is pregnant;
 - The expected week of childbirth;
 - The date when she intends to start taking leave (she can later change her intended start date by giving 28 days' notice in writing).
4. Confirmation of pregnancy and expected date of childbirth should be provided via a MATB1 form. Employees must provide their original MATB1 to their manager as soon as it is available.
5. Within 28 days of receipt of the Maternity Leave Notification Form, Departmental Human Resources will respond to the employee setting out the latest date upon which she may return to work in the event that she takes her full maternity leave entitlement.

Rights during Pregnancy

6. On becoming aware of an employee's pregnancy, the line manager must complete a risk assessment. This should be sent to Departmental HR and copied to Occupational Health. Any identified risks must be discussed with the individual and appropriate adjustments made. Where adjustments to conditions of employment are required, these will be confirmed in writing by Departmental HR and, where applicable, protection of earnings will apply until maternity leave starts.
7. Employees have the right to reasonable paid time off to attend ante-natal care, subject to providing evidence to their line manager.



Maternity Leave Entitlements

8. Employees are entitled to a total of 52 weeks Statutory Maternity Leave, which includes 26 weeks Ordinary Maternity Leave and 26 weeks Additional Maternity Leave, regardless of their length of service.
9. By law, employees must take 2 weeks Compulsory Maternity Leave immediately following childbirth.
10. Employees are able to commence their Maternity leave at any time during the 11 weeks prior to the EWC. If an employee is absent due wholly or partly to a pregnancy related illness during or after the fourth week before the EWC, maternity leave will automatically commence.

Maternity Pay Entitlements

11. Employees with 26 weeks or more service at the 15th week before the EWC will be eligible for maternity pay. They will receive, in total, 39 weeks paid maternity Leave (see [Appendix 2](#) for details of payments), providing they are still in The City of London's employment at the beginning of the 15th week before the EWC.
12. If an employee does not have the appropriate qualifying service for Statutory Maternity Pay (SMP), on receipt of their Maternity Leave Form and MATB1, Departmental HR team will produce an SMP1 form. This will be returned to the employee together with their MATB1 form, to enable her to claim any benefits due to her.
13. Pension payments are due during paid maternity leave. During unpaid maternity leave employees may wish to continue to make payments, (which will be based on Statutory Maternity Pay levels). This decision can be deferred until an individual returns to work (they will have 30 days from their return date to make this decision).

Rights during Maternity Leave

14. Employees remain entitled to all contractual employment benefits (with the exclusion of: season ticket loans; car purchase loans; and essential car user lump sum payments) during their full maternity leave period.
15. Annual leave will continue to accrue in line with the [Annual Leave Policy](#) but it can only be carried into the next leave year with the consent of the Chief Officer. Where maternity leave crosses 2 annual leave years, it is sensible for the employee to take leave due for the current year prior to commencing their maternity leave.
16. Legislation permits the City of London to make reasonable contact with employees whilst they are on maternity leave (e.g. to discuss plans for returning to work, or to provide information on important workplace developments). Employees who intend



to return to work are additionally encouraged to keep in contact with their work base.

17. By mutual consent, employees on maternity leave may work on up to 10 days for the City of London (e.g. for training, team meetings, phased introduction back to work) without affecting their maternity entitlements or arrangements (these days are referred to as 'Keeping in Touch Days'). Such work will be paid at their normal hourly rate (where their contractual pay varies, this will be calculated as an average over the 12 week period immediately prior to their maternity leave).
18. If organisational change occurs whilst employees are on maternity leave, their line manager will inform and consult them on how the change will impact on their job. In a redundancy situation, affected employees on maternity leave will, where possible, be offered suitable alternative employment.

Returning to Work

19. Following the compulsory maternity leave period, employees may return to work at any time during their maternity leave period, providing they give 8 weeks notice of any change to their agreed return date.
20. An employee who returns to work during or at the end of Ordinary Maternity Leave (i.e. who has taken 26 weeks' leave or less) is entitled to return to the same job on the same terms and conditions as if she had not been absent. Where an employee returns to work during or at the end of her Additional Maternity Leave and it is not reasonably practicable for her to return to her old job, she will return to a suitable alternative post.
21. Where an employee does not wish to return to work following maternity leave, she must serve out her contractual notice prior to the end of her additional maternity leave. In circumstances where employees have not exhausted their maternity pay at the point they hand in their notice, they remain entitled to receive all SMP due to them, providing they remain on maternity leave (i.e. they do not take up an alternative position of employment).

Responsibilities

22. Employees are responsible for notifying their line manager of their pregnancy within expected timescales, providing a MATB1 and providing written confirmation of intended start and end dates.
23. Departmental HR are responsible for writing to the employee on receipt of the above notification to confirm the individual's latest return to work date.
24. Line managers are responsible for authorising maternity leave, conducting risk assessments, maintaining contact during maternity leave, and arranging dates and payments for Keeping in Touch Days, where applicable.



Monitoring

25. The application of this policy will be monitored in line with the City of London's commitment to equal opportunities.

Further Information

26. Information on maternity support leave (commonly known as Paternity Leave) can be found in the [Maternity Support Scheme](#).
27. Current rates of SMP can be found on the [BERR website](#).
28. Further information relating to the impact of unpaid maternity leave on pensions should be sought from the Pensions Office.