

# SUMMARY OF MATERNITY LEAVE ENTITLEMENTS

Revised April 2018

This summarises entitlements for RBK employees, as per statutory and applicable company maternity leave provisions. These are based on length of continuous service and earnings. When determining your own entitlements please check any related details on iTrent and contact Human Resources (HR) for any queries.

Please note the following abbreviations related to maternity leave and pay are used below:

- EWC Expected Week of Childbirth (the week of your baby's due date)
- SMP Statutory Maternity Pay (to be eligible for SMP employees must earn an average of at least £116 per week before tax)
- OMP Occupational Maternity Pay (to eligible for OMP, employees need to return to work for at least 13 weeks at the end of maternity leave)

EMPLOYEE ENTITLEMENTS AND OBLIGATIONS	LENGTH OF SERVICE CONDITIONS		
	Employees with <u>less than 26 weeks</u> continuous service at the end of the 15 <sup>th</sup> week before EWC	Employees with 26 to 51 weeks' continuous service at the end of the 15 <sup>th</sup> week before EWC	Employees with <u>at least one year's</u> continuous service at the end of the 15 <sup>th</sup> week before EWC
<b>A. INFORMING THE EMPLOYER</b>	<p>You must inform your manager and HR in writing as soon as possible, and at least 15 weeks before the EWC:</p> <ul style="list-style-type: none"> <li>● that you are pregnant,</li> <li>● of the week the baby is expected to be born, and</li> <li>● of when you would like your maternity leave to start (with a minimum of 28 days' notice) .</li> <li>● you must supply with your initial letter (or as soon as possible thereafter) a maternity certificate (MAT B1) confirming your EWC.</li> </ul>		
<b>B. MATERNITY LEAVE</b>	<p>You may take maternity leave for a period of up to 52 weeks, commencing not earlier than 11 weeks before the EWC.</p> <p>However your maternity leave will normally start automatically:</p> <ul style="list-style-type: none"> <li>● if you suffer from a pregnancy related illness during the 4 weeks before your EWC.</li> <li>● on the day after the baby's birth if this happens earlier than your intended start date of maternity leave.</li> </ul>		

### C. MATERNITY PAY

- You are not entitled to maternity pay but you may be eligible for maternity allowance, usually paid for 39 weeks
- Please check <https://www.gov.uk/maternity-allowance/eligibility> for more information.

You are entitled to SMP, as follows:

- SMP at 90% of full pay for first 6 weeks
- Standard rate SMP - £145.18 at 06/04/18 (or 90% of average weekly earnings if this is lower) for the next 33 weeks.
- Unpaid leave for the last 13 weeks.

You are entitled to SMP and OMP, as follows:

- SMP at 90% of full pay for first 6 weeks.
- Standard rate SMP - £145.18 at 06/04/18 (or 90% of average weekly earnings if this is lower), for next 12 weeks
- OMP at 50% of full pay\*, also for next 12 wks
  - \* Subject to return to work for a minimum period of 13 weeks after maternity leave
  - \* Payable monthly or withheld as a lump sum to be paid upon your return to work.
  - \* Weekly amount cannot exceed normal weekly earnings for part time employees.
- Standard rate SMP - £145.18 at 06/04/18 (or 90% of average weekly earnings if lower) for the remaining 21 weeks
- Unpaid leave for the last 13 weeks.

### D. RETURN TO WORK

- You have the right to return to work after maternity leave.
- You must give appropriate notice in certain circumstances - see next section.

### E. EXERCISING THE RIGHT TO RETURN TO WORK

*Wherever possible, it would help with service management to give as much notice as possible of your return to work. However, you are not legally obliged to do so.*

- If you wish to return to work before the end of your full maternity leave period you must give eight weeks' notice of your intended return to work date. You can change this date as long as you give eight weeks' notice.
- If you are returning early to give your partner or the father of your baby the ability to take some shared parental leave (or to take shared parental leave yourself), you must also provide a number of documents to your manager (as well as to your partner's/the child's father's employer). Please see section F below.
- If you return at the end of your full 52 weeks of maternity leave and have not indicated that you wish to come back at any other time, you do not need to provide any further notice.
- If you decide not to return to work at the end of your maternity leave you must give at least the notice required by your contract.

- All provisions across apply.
- In addition, please note that you must return to your post for a period of at least 13 weeks\* in order to remain eligible for your OMP (either paid to you as 12 weeks half pay during maternity leave or as a lump sum on return)
  - \* If you return to your duties working less hours than before you commenced your maternity leave then this 13 week period will increase accordingly.

## F. SHARED PARENTAL LEAVE

You are entitled to convert some of your Maternity Leave into Shared Parental Leave (SPL), which could be shared with your partner or the child's father.

- SPL can replace up to 50 of your 52 weeks' Maternity Leave.
- SPL is paid at the same rate as the standard SMP rate - £145.18 per week as of 06/04/2018 (or 90% of weekly earnings if this is lower), for a maximum of 37 weeks, provided you have earned an average of at least £116 per week before tax in the 8 weeks prior to EWC
- In order to convert a portion of your maternity leave to SPL, you must:
  - a) Notify your manager and HR of your entitlement to SPL
  - b) Request to take SPL at least 8 weeks before the intended start date.
- For more information, please see guidance on Shared Parental Leave on the intranet.

## G. SPECIAL CIRCUMSTANCES

Special care should be taken to support the mother and her partner in cases where their baby is born prematurely or sick. This may include using the [dependency leave](#), [unpaid parental leave](#) or [flexible working](#) provisions in addition to the maternity, paternity, adoption and shared parental leave provisions outlined above.

Sadly, in some cases premature or sick babies do not survive. In such circumstances, parents are still entitled to take time off under maternity and paternity provisions, should they wish to. [Compassionate leave](#) provisions also apply. Managers need to adopt a compassionate and supportive approach to manage this difficult situation through appropriate and sensitive discussions with their employee, both in the immediate aftermath of bereavement and in the long term. Access to [counselling](#) may also be helpful.

In all above circumstances, please also refer to [additional guidance from ACAS](#).