

This policy sets out the maternity provisions to which all pregnant Temporary Workers are entitled, both before and after the birth of a child.

Temporary Workers may also be entitled to take Shared Parental Leave either in addition to or instead of maternity leave. Please see the Shared Parental Leave policy for more information.

### **Time off for Ante-Natal Care**

Temporary Workers are entitled to take reasonable, paid time off during assignment to receive ante natal care.

Temporary Workers should inform their Search Consultant of the fact that they are pregnant, and produce the appointment card.

Where possible, appointments should be arranged at the start or end of the working day.

## **STATUTORY MATERNITY LEAVE**

### **Compulsory Maternity Leave**

Compulsory leave is a health and safety provision, intended to fall within Ordinary Maternity Leave, which prohibits a mother from returning to work within 2 weeks of the birth.

### **Ordinary Maternity Leave**

To qualify for ordinary Maternity Leave, the Temporary Worker should, where possible, no later than the 15th week before their expected week of childbirth (EWC), advise the organisation of:

- The fact that they are pregnant
- The week their baby is expected to be born. The company will require that this be confirmed with a medical certificate (MATB1 form)
- The date on which the Temporary Worker wishes to commence Maternity Leave

The Temporary Worker may choose the date on which they wish ordinary maternity leave to commence, subject to the following:

- The Temporary Worker cannot take ordinary Maternity Leave earlier than the 11th week prior to the expected week of confinement
- Where the Temporary Worker is absent from work due to illness caused by the pregnancy at any time during the four weeks before the start of their EWC, ordinary maternity leave will automatically start on the first day of absence

The Temporary Worker may change their mind about when they wish to start their leave provided that they tell the company at least 28 days in advance, unless this is not reasonably practicable.

On being notified of a Temporary Worker's intention to take Maternity Leave, the company will write to them, within 28 days of the notification, advising of the date that they are expected to return to

work should the Temporary Worker take her full entitlement (including her entitlement to additional Maternity Leave).

Temporary Workers are entitled to the benefits of their normal terms and conditions (other than remuneration) during ordinary Maternity Leave. In particular, Temporary Workers will continue to accrue annual holiday entitlement, will retain any right to use company cars/mobile phones that have been allocated to them and pension contributions will be made based upon maternity pay.

### **Additional Maternity Leave**

Additional Maternity Leave commences at the end of the ordinary maternity leave period and continues for an additional 26 weeks.

There is no qualifying period of employment to gain entitlement to additional Maternity Leave.

No additional notice is required from Temporary Workers who qualify for additional Maternity Leave. A Temporary Worker who returns to work at the end of their full Maternity Leave period need not notify the organisation in advance of their return. If however the Temporary Worker wishes to return to work prior to the end of the full Maternity Leave period, they must give 8 weeks' notice. Note that Temporary Workers may not return to work earlier than two weeks after the birth of the child (or four weeks where the Temporary Worker works in a factory).

During additional Maternity Leave, Temporary Worker's remain under their Terms of Engagement and are entitled to the benefits of their normal terms and conditions other than remuneration. In particular, Temporary Workers will continue to accrue contractual annual holiday entitlement and will retain any right to use company cars/mobile phones that have been allocated to them.

### **Statutory Maternity Pay (SMP)**

In order to qualify for SMP, a Temporary Worker must:

- Have been continuously employed for at least 26 weeks by the 15th week before their EWC
- Be pregnant and have reached the 11th week prior to the expected week of childbirth
- Have normal weekly earnings of not less than the lower earnings limit for National Insurance Contributions
- Have given at least 28 days' notice to the organisation that they intend to be absent from work due to pregnancy

SMP is payable for a 39 week period. The first six weeks are paid at 90% of normal weekly earnings. The remaining 33 weeks are paid at the standard SMP rate, or 90% of normal weekly earnings if this is lower than the SMP rate. The remainder is unpaid.

### **Keeping in Touch**

The organisation and the Temporary Worker are entitled to have a reasonable amount of contact with each other during ordinary and additional maternity leave to discuss aspects such as plans to return to work, important developments at work, promotional opportunities or job vacancies.

The organisation and the Temporary Worker are also entitled to agree that the Temporary Worker will attend work for up to 10 days during either ordinary or additional maternity leave without this impacting upon the Temporary Workers statutory maternity pay. This may allow the Temporary Worker to attend training or other events that take place during the leave period or allow the Temporary Worker to keep their skills up to date. Any such 'keeping in touch' days and the payment to be received for attending work on these days will be agreed between the organisation and the Temporary Worker beforehand.

### **Adoption Leave and Pay**

Temporary Workers will be entitled to adoption leave and pay in line with current legislation. Full details of Temporary Workers entitlement is detailed in the Temporary Workers Adoption Policy.