MATERNITY LEAVE

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1. Purpose

This policy is to be accepted and observed by all members, staff and volunteers within Four Pillars. Breaches of the policy may be regarded as gross misconduct.

2. Ownership

This is the Maternity Leave Policy of Four Pillars. The ownership of this policy is to that of the Four Pillars board of trustees, who discharges its implementation to the management of Four Pillars. The management may discharge duties to a nominated member of staff or volunteer.

3. Statement of policy

Our policy is to provide guidance on maternity leave to employees, volunteers and service users. We also accept responsibility for all other people who may be affected by our activities.

4. INTRODUCTION

4.1 All pregnant employees are entitled to a total of 52 weeks' maternity leave, irrespective of their length of service.
4.2 We have set out below all of your rights and obligations should you become pregnant.
4.3 We would ask that you notify us as soon as possible of your pregnancy so that we can ensure you are fully aware of all your entitlements and obligations and also so that we can take any necessary steps to ensure the health and safety of both yourself and your unborn child whilst you are at work.
4.4 In addition to maternity leave, eligible employees who are responsible for a baby born on or after 6 April 2025 that requires neonatal care are entitled to neonatal care leave.
4.5 For details on your entitlement to time off, pay during leave and support available, you should read our separate Neonatal Care Leave Policy.

5. ANTE-NATAL CARE

5.1 You are entitled to paid time off during normal working hours to receive ante-natal care.
5.2 Ante-natal care can include not only medical examinations, but also relaxation and parent-craft classes.
5.3 Other than for the first appointment, you must produce both a certificate confirming that you are pregnant and an appointment card (or similar document) from a registered medical practitioner, or a registered midwife, in the case of medical examinations or relaxation classes, or from a registered health visitor in the case of parent-craft classes, showing that an appointment has been made.

6. MATERNITY LEAVE

6.1 You are entitled to the following maternity leave; 52 weeks' in total, broken down as follows:
6.1.1 26 weeks' Ordinary Maternity Leave.
6.1.1.1 You are not permitted to work for 2 weeks immediately after your baby is born, this is called Compulsory Maternity Leave.
6.1.2 Additional Maternity Leave that starts immediately after Ordinary Maternity Leave and continues for a further 26 weeks'.
6.2 Maternity leave can commence at any time after the 11th week before the expected week of childbirth, and may commence as late as the day after the birth of your baby.
6.3 In order to take advantage of the right to maternity leave you must give us the proper notifications.
6.4 These are outlined below under the heading 'Notice Requirements'.

7. NOTIFICATION REQUIREMENTS

7.1 We would urge you to notify us as soon as possible of your pregnancy to enable us to ensure that, where appropriate, any reasonable steps are taken to ensure the safety of yourself and your unborn child and that you are not subject to any unnecessary risks.

7.2 To qualify for maternity leave you must, no later than the end of the 15th week before the expected date of childbirth or, if that is not reasonably practicable, as soon as is reasonably practicable notify us, in writing of the following:

1. Your pregnancy;

2. Expected week of childbirth (EWC); and

3. The date on which you intend your ordinary maternity leave period to start.

7.3 In addition, you must supply us with a copy of your MATB1 form from a registered medical practitioner or registered midwife stating the EWC.

7.4 If you wish to vary the date on which you intend your OML to start, you must notify us of the new date at least 28 days' before the new date or, if that is not reasonably practicable, as soon as is reasonably practicable.

8. COMMENCEMENT OF LEAVE

8.1 The earliest date that you can start maternity leave is the beginning of the 11th week before the EWC.

8.2 The latest date that you may work up to is the birth of your child unless your leave is triggered by pregnancy related absence (see below).

8.3 Compulsory maternity leave commences on the day after the childbirth occurs. Its purpose is to ensure that you have at least 2 weeks leave after the birth of your baby.

8.4 There are two incidences in which the maternity leave period is triggered automatically:

8.4.1 Where childbirth occurs before the maternity leave period would otherwise commence.

8.4.1.1 In the event of premature birth you are not required to notify us of the date on which you intend to take your leave, but must inform us as soon as is reasonably practicable after the birth, of the date on which you gave birth.

8.4.1.2 Your maternity leave period will begin automatically on the day following the date of the birth.

8.4.2 If you are absent from work, wholly or partly due to your pregnancy, after the beginning of the fourth week before the EWC.

8.4.2.1 If you are absent from work after the beginning of the fourth week before the EWC, wholly or partly due to your pregnancy, then again you must notify us as soon as reasonably practicable that you are absent for that reason and the date on which your absence began.

8.4.2.2 Your maternity leave period will begin automatically on the day following the first day of such absence.

8.5 Once you notify us of the date on which you intend to commence your maternity (or have commenced) we will write to you within 28 days', notifying you of the date on which you are due to return to work after the end of your additional maternity leave.

9. CHANGING YOUR RETURN TO WORK DATE

9.1 If you decide to return to work before the end of the date notified for additional maternity leave you must give us at least 8 weeks' notice of the new date on which you intend to return.

9.1.1 For example, if you only wish to take the 26 weeks' ordinary maternity leave or the 39 weeks' paid maternity leave, you must give us 8 weeks' notice of your intended return date.

9.1.2 If you attempt to return to work without giving the required notice we will postpone your return to a date that will ensure that there has been 8 weeks' notice of that return, or the original date of return, whichever is the lesser period of time.

10. RETURNING TO WORK

10.1 If you are returning to work at the end of additional maternity leave, you simply present yourself for work at the end of that period.

10.2 If you return to work at the end of your ordinary maternity leave you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence.

10.3 If you return to work after a period of additional maternity leave, you are entitled to return to the same job in which you were employed before your absence or, if that is not reasonably practicable, to another job which is both suitable and appropriate for you in the circumstances on terms no less favourable.

11. KEEPING IN TOUCH DAYS

11.1 You may by mutual agreement, work for up to 10 days' during your maternity leave period (but not during the compulsory maternity leave period) without losing statutory payments for that week, or ending your entitlement to leave.

11.2 For this purpose any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the maternity leave period.

11.3 Payment in respect of these 'keeping in touch' days will be agreed beforehand.

12. MATERNITY PAY

12.1 Dependent upon your length of service, you may be entitled to Statutory Maternity Pay.

12.2 If you do not qualify for such a payment, you may, dependent upon your circumstances, be eligible to receive allowances from the appropriate government departments.

13. Eligibility

13.1 You will qualify for Statutory Maternity Pay (SMP) if you meet the following criteria:

a) You have been continuously employed with us for at least 26 weeks' continuing into the 15th week before the week the baby is due.
b) Your average weekly earnings are not less than the lower earnings limit relevant for National Insurance purposes.
c) You are still pregnant at the 11th week before the EWC or have given birth by that time.
d) You have complied with the relevant notification requirements, as detailed above.

14. Length of Pay Period

14.1 The period for which SMP may be paid is called the maternity pay period. The maternity pay period may start at any time from the start of the 11th week before the EWC and can continue for up to 39 weeks', even if you do not intend to return to work.

14.2 The starting date of the maternity pay period will usually be agreed between the employer and the employee however the final decision is yours. The maternity pay period and SMP can start on any day of the week. However:

a) If you work up to the birth, the maternity pay period and SMP will start from the day following the date of the birth;

b) If you are absent from work because of a pregnancy related reason on, or after, the start of the fourth week before the EWC, the maternity pay period will start on the day following the first day you are off work for that reason; and
c) If you are absent on sick leave with an illness which is not pregnancy related, the maternity pay period will start as notified or from the date following the date of birth whichever is the earlier.

15. Amount of Payment

15.1 Payment will be made at the rate of 90% of your normal salary (or standard rate SMP whichever is the greater) for the first 6 weeks' of leave and then up to 33 weeks' at the Standard Rate SMP.

16. The baby is born early or late

16.1 If your baby is born before the maternity pay period is due to start, the pay period will begin from the day following the date of birth.

16.2 If your baby is born before you have given us a maternity certificate, you must, if reasonably practicable, provide us with medical evidence of the date the baby was born within 28 days'.

16.3 If your baby was born early and the maternity pay period has started, SMP will be paid in the normal way until the liability ends as if the baby had been born in the EWC.

16.4 If the baby is born after the EWC, the maternity pay period is not affected.

17. The baby is stillborn

17.1 In the unfortunate event that a baby is stillborn before the 25th week of the pregnancy,

17.1.1 i.e. earlier than the 16th week before the EWC, SMP is not payable.

17.2 If a baby is stillborn after the start of the 16th week before the EWC, SMP will be paid as it would for a live birth.

18. Responsibilities

Overall and final responsibility for Maternity Leave Policy is shared collectively by the trustees.

The trustees delegate the responsibility of following this policy to the management team.

The management will:

- Arrange for the implementation of this policy in consultation with staff and volunteers
- Arrange for the adequate instruction and training of staff and volunteers in all matters related to this policy
- Arrange for the contents of this policy to be known to all staff and volunteers

The staff and volunteers of Four Pillars have a duty to:

- Follow this policy
- Co-operate with the management to ensure that the requirements of relevant statutory provisions are complied with
- Report potential or actual hazards as soon as possible

19. Risk Assessment

The trustees will ensure that all risk assessments are undertaken for any part of the charity's activities to which they are applicable, copies of these risk assessments are available upon written request.

20. Premises

The management team will ensure that all premises used by Four Pillars whether owned, leased or rented are:

- Health and safety compliant
- A full risk assessment has been completed
- Insurances are in place and displayed
- Fences are erect and secure at all times, if applicable
- Gates are manned at all times, if applicable
- Any potential danger is reported to the management

21. Reports

The delegated manager/person in charge at each event shall be responsible for making any necessary reports relating to this policy or ensuring that others make such reports.

22. Policy Development

The trustees shall endeavour to progressively develop the charity's policy on Maternity Leave Policy in response to risks and hazards identified. Specific procedures and policies so developed shall be appended to this document and form part of the charity's statement on maternity leave.

23. Review

The effectiveness of this policy will be reviewed annually by a member of the Four Pillars board of trustees. If appropriate, action will be taken as necessary to update this policy to ensure effective delivery on the objectives laid out at the start of this document.