

Maternity Policy

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For the most up to date / current Government guidance regarding maternity leave and pay, please see:

<https://www.gov.uk/maternity-pay-leave>

1. Maternity:

HND Children's Care Ltd implements the maternity rights set out in legislation. The maternity rules are complex and so if you become pregnant you should clarify the relevant procedures with the manager to ensure you follow them correctly. It is also important that, as an expectant mother, you keep the manager updated regarding your intentions in relation to antenatal care and work (i.e., both when leaving to begin your maternity leave and when planning to return to work). The company encourages open discussion between you and the manager to ensure that questions and problems about maternity rights can be discussed and



resolved as quickly as possible.

The following abbreviations are used in this section:

EWC Expected Week of Childbirth - the week in which your baby is likely to be born. Sunday is the beginning of the week.

SMP Statutory Maternity Pay.

QW The Qualifying Week for SMP - the 15th week before the EWC.

On becoming pregnant, you should notify the manager as soon as you feel able to do so. In addition, you will need to provide an MATB1 certificate. The MATB1 is issued by your doctor or midwife, and it states when your baby is due. It must have either your doctor's name or address on it or, if issued by a midwife, her name and registration number.

2. Maternity Rights:

You have the following key maternity rights:

- Time off for antenatal care
- Maternity pay - linked to your level of earnings and your length of service.
- Maternity leave - the period of leave is dependent on your length of service.

3. Time off for Antenatal Care:

During pregnancy, you are allowed time off work with pay to attend the antenatal clinic and other antenatal appointments made on the advice of your doctor or midwife. Antenatal care may include relaxation and parent craft classes, as well as medical examinations. Except in the case of your first appointment, an appointment card must be produced to your line manager. You must endeavor to give your line manager as much advance notice as possible of antenatal appointments and you should try to arrange them as close to the start or the end of your working day as possible.

4. Statutory Maternity Pay:

To be eligible to receive SMP, you must have been employed by the Company for at least 26 weeks ending with the QW. In addition, your average weekly earnings in the eight weeks up to and including the QW must have been at least equal to the lower earnings limit for National Insurance contributions. To take advantage of the right to SMP, you must also give the Company proper notification (see further below).

5. Maternity and Paternity:

SMP is paid for up to 39 weeks after commencement of your maternity leave. It is paid into your bank account in the same way as salary is normally paid and it is subject to deductions of income tax and National Insurance contributions. Details regarding maternity pay can be found at: <https://www.gov.uk/maternity-pay-leave>



Payment of SMP cannot begin until the Sunday after you leave work to start your maternity leave.

SMP is payable only for weeks in which you do not work for the company. If you decide to return to work before the end of your SMP entitlement, you will not be paid SMP for the weeks worked. Instead, you will receive your normal salary. SMP is payable whether or not you intend to return to work for the company after your maternity leave.

The maternity pay period can begin at any time from the start of the eleventh week before the EWC. However, if you decide to work up to when your baby is born, the maternity pay period will start from the Sunday following the date of birth.

It is important for maternity pay purposes that you notify your line manager if, during the maternity pay period, you are either taken into legal custody or you start to work for another employer.

If you have been working for the Company for less than 26 weeks at the QW or you do not have the necessary level of earnings, you are not eligible to receive SMP. You may, however, be able to apply to the Department for Work and Pensions for Maternity Allowance if you meet their qualifying conditions.

Please see the below for official Government guidance:

<https://www.gov.uk/maternity-allowance>

6. Maternity Leave:

There are two categories of maternity leave:

- Ordinary Maternity Leave
- Additional Maternity Leave.

The amount of time allowed for maternity leave is linked to your length of service with the Company.

7. Ordinary Maternity Leave:

All pregnant employees are entitled to 26 weeks' ordinary maternity leave. This applies regardless of the length of your service or the number of hours you work. Your contract of employment continues during ordinary maternity leave, and you are entitled to receive all your contractual benefits, except for salary. This means, for example, that holiday entitlement will continue to accrue. This also includes other benefits such as: pension contributions, private medical insurance, life assurance and permanent health insurance. On resuming work after ordinary maternity leave, you will be entitled to benefit from any general pay increases that may have been awarded in your absence.

Even if you do not want to take 26 weeks off work, the law requires all employees to take a minimum of two weeks of maternity leave immediately after the birth of the child. This is



known as the compulsory maternity leave period.

You should endeavour to take any outstanding annual leave that may be due to you before the commencement of your ordinary maternity leave, and you are reminded that annual

leave must be taken in the holiday year in which it is earned: see the section on Holidays for further information.

8. Additional Maternity Leave:

If you have completed 26 weeks' continuous service with the company by the fifteenth week before your EWC, you will be entitled to take additional maternity leave. Additional maternity leave starts immediately after the end of your ordinary maternity leave and continues for a further 26 weeks. Your contract of employment continues during additional maternity leave but only some terms of the contract will continue. The terms and conditions which apply during additional maternity leave are:

- Are entitled to benefit from the company's implied obligation of trust and confidence.
- You are bound by your implied obligation to the company of good faith. - You are entitled to receive your contractual notice period if your employment is terminated.
- You must give the company the notice provided for in your contract if you wish to terminate your employment.
- The terms and conditions in your contract of employment relating to disciplinary and grievance procedures will continue to apply.
- You are bound by the terms in your contract relating to the disclosure of confidential information and participation in any other business.

During your additional maternity leave, entitlement to statutory annual leave under the Working Time Regulations 1998 will continue to accrue, but all further contractual annual leave entitlement (including entitlement to paid bank holidays) will cease. Contractual annual leave accrual will recommence when you return to work after additional maternity leave.

9. Commencing Maternity Leave: Notice Requirements:

You are required to notify the company in writing of your intention to take maternity leave by the 15th week before the EWC. You must notify the company:

- That you are pregnant.
- When your EWC will be.
- When you intend your maternity leave and SMP to start.

You are permitted to change your mind about when you want to start your maternity leave providing you give the company at least 28 days' written notice of the revised start date.

Once you have notified your maternity leave plans, the company will write to you within 28 days, setting out the date on which we expect you to return to work if you take your full entitlement to maternity leave.



Note that maternity leave may commence no earlier than the eleventh week before the EWC. The latest it may begin is the date of birth itself. If you give birth before the date you have notified, then your maternity leave begins automatically on the date of the birth. You must notify the company as soon as is reasonably practicable of the date of birth.

10. Returning to Work after Maternity Leave: Notice Requirements:

If you intend to return to work before the end of your ordinary or additional maternity leave, you must give the company at least 28 days' notice of your date of return. If you fail to do so, we may postpone your return to such a date as will give the company 28 days' notice, provided that this is not later than the end of your maternity leave period.

You are not legally obliged to give advance notice to HND Children's Care Ltd if you intend to return to work immediately after the end of your ordinary or additional maternity leave. You may simply return on your due day of return. That said, if you qualify for additional maternity leave and you want to return after the end of ordinary maternity leave, you must still give us 28 days' notice. If you fail to give the appropriate notice, we may postpone your return to such a date as will give the company 28 days' notice, provided that this is not later than the end of your additional maternity leave.

If you are unable to attend work at the end of your ordinary or additional maternity leave due to sickness or injury, the company's normal arrangements for sickness absence will apply.

If you do not intend to return to work at all after your maternity leave, you are still required to give the company written notice of the termination of your employment as set out in your contract of employment.

11. Keeping in Touch Days:

During your maternity leave, you may carry out work on up to ten days for HND Children's Care Ltd without bringing your maternity leave to an end. For these purposes "work" means any work done under your contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace. If you wish to attend work, you should contact the manager to make the necessary and suitable arrangements.

12. Your Rights on Return to Work:

On resuming work after ordinary maternity leave, you are entitled to return to the same job on the same terms and conditions as if you had not been absent. On resuming work after additional maternity leave, again you are entitled to return to the same job on the same terms and conditions as if you had not been absent. If, however, there is some reason why it is not reasonably practicable for the company to take you back in your original job, you will be offered suitable alternative work of equivalent status and responsibility.



If you are a full-time employee, you have no automatic right to return to work on a part time basis at the end of your maternity leave. Likewise, you have no automatic right to work from home. However, all requests for part-time or homework will be considered in line with the operational requirements of the company. It is the company's policy to promote flexible working arrangements for all employees and in particular for women returning from maternity leave. However, this is at the discretion of the company, and if reasonable and proportionate in relation to your role and the operations of the company. If you would like this option to be considered, please speak to the manager as far in advance of your return as possible in order that the relevant procedure can be put into operation.

13. Pregnancy Related Illness:

If you are absent from work due to a pregnancy-related illness after the beginning of the 4th week before the EWC but before the date you have notified, or before you have notified a date, on which you intend to commence your maternity leave, then your maternity leave will begin automatically on the first day of your absence. You must notify the company that you are absent from work wholly or partly because of pregnancy as soon as is reasonably practicable and, until your maternity leave commences, you are still required to comply with HND Children's Care Ltd reporting procedure.

End.