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MATERNITY POLICY (INCORPORATING THE MATERNITY LEAVE, ADOPTION LEAVE AND SHARED PARENTAL LEAVE (AMENDMENT) REGULATIONS 2024)

Introduction

Qualitrain Ltd. is committed to supporting employees who are pregnant or who have recently given birth by ensuring that they can balance their career and family responsibilities. This policy outlines the statutory rights and responsibilities of employees under the Maternity Leave, Adoption Leave, and Shared Parental Leave (Amendment) Regulations 2024. The following abbreviations are used:

EWC (Expected Week of Childbirth):

The week in which the employee's doctor or midwife expects the birth.

QW (Qualifying Week): The 15th week before the EWC.

Key Amendments as of 2024

Redundancy Protection: From 6 April 2024, employees who are pregnant or returning from maternity, adoption, or shared parental leave will receive priority status for redeployment opportunities in a redundancy situation.

Statutory Maternity Pay (SMP) Update: From 7 April 2024, new rates of SMP will be applicable.

Notification of Pregnancy

Employees should notify their line manager of their pregnancy as soon as possible. By the QW or soon after, they must provide in writing:

- Confirmation of pregnancy.
- Their EWC.
- The intended start date of maternity leave.

Employees must submit a MAT B1 form to confirm their EWC.

Maternity Leave and Pay

Employees are entitled to 26 weeks of Ordinary Maternity Leave (OML) and 26 weeks of Additional Maternity Leave (AML), totalling 52 weeks.

Statutory Maternity Pay (SMP) is payable for up to 39 weeks. The first 6 weeks are paid at 90% of the employee's average weekly earnings, and the remaining 33 weeks at either 90% of earnings or the Government's set SMP rate, whichever is lower.

Key Change: Shared Parental Leave (SPL)

Employees can share up to 50 weeks of leave and 37 weeks of pay between both parents, under the Shared Parental Leave system, as long as the mother has returned to work and not used her full maternity leave entitlement. (See Shared Parental Leave Policy)

Health and Safety

If an employee's work is considered risky to her pregnancy, the Company will adjust remove the risk. If this is not possible, the employee may be offered suitable alternative work or suspended on full pay for health and safety reasons.

Time Off for Antenatal Care

All pregnant employees are entitled to Paid time off for antenatal care regardless of their length of service. Antenatal care includes medical examinations and may also include relaxation and parentcraft classes if advised by a doctor or midwife.

Redundancy Protection (2024 Update)

Pregnant employees and those returning from maternity leave have enhanced protection from redundancy. From 6 April 2024, such employees must be offered any suitable alternative vacancies in a redundancy situation before other employees are considered.

Return to Work

Employees are expected to return to work on their agreed return date. Employees who wish to return earlier must give 8 weeks' notice.

For employees returning after AML, they are entitled to return to the same role unless it is not reasonably practicable, in which case they will be offered a suitable alternative role with no less favourable terms.

Keeping in Touch Days (KIT)

Employees can work up to 10 KIT days during their maternity leave without affecting their SMP or maternity leave. KIT days must be agreed upon between the employee and their manager.

Holiday Entitlement During Maternity Leave

Employees continue to accrue both statutory and contractual holiday entitlement during maternity leave. The employee and their manager will agree on how holiday entitlement will be managed.

Transfer of Maternity Leave (Shared Parental Leave)

Under Shared Parental Leave, mothers can transfer up to 50 weeks of leave to their partner. This leave can be taken at the same time or in blocks between both parents.

Conclusion

Qualitrain Ltd. values its employees and aims to support all those balancing work with family responsibilities by complying with current legislation. For more detailed guidance, employees should speak to their manager or HR.

This policy is designed to ensure compliance with the Maternity Leave, Adoption Leave, and Shared Parental Leave (Amendment) Regulations 2024 and any further updates will be incorporated as they arise.

Maternity Leave Procedure for Qualitrain Ltd.

This procedure ensures compliance with the **Maternity Leave, Adoption Leave, and Shared Parental Leave (Amendment) Regulations 2024** and addresses cases where employees are **not eligible for SMP**.

1. Notification of Pregnancy

- **Employee Action:** Notify your line manager of your pregnancy as soon as possible.

- **Manager Action:** Upon notification, arrange a meeting to discuss entitlements, including health and safety considerations.
 - **Documentation Required:** Submit a MAT B1 form (confirming the Expected Week of Childbirth, EWC) by the Qualifying Week (QW).
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2. Antenatal Appointments

- **Employee Action:** Inform your manager of antenatal appointments.
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3. Health and Safety Risk Assessment

- **Manager Action:** Conduct a risk assessment to ensure the employee's working environment is safe during pregnancy. Adjustments or alternative work may be provided as necessary.
 - **Documentation:** Record any changes made and ensure compliance with health and safety regulations.
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4. Confirmation of Maternity Leave Start Date

- **Employee Action:** Confirm the start date of maternity leave in writing at least 28 days before the intended leave.
 - **Manager Action:** Confirm the employee's return date within 28 days.
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5. Ordinary Maternity Leave (OML) and Additional Maternity Leave (AML)

- **Duration:** Employees are entitled to 52 weeks of maternity leave (26 weeks OML and 26 weeks AML).
 - **Compulsory Leave:** The employee must take at least two weeks' leave after childbirth.
 - **Manager Action:** Ensure all benefits except pay remain in place during the leave.
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6. Actions if the Employee is Not Eligible for SMP

- **Eligibility Check:** Employees may not be eligible for SMP if:
 - They have not been continuously employed for 26 weeks up to the QW.
 - Their average earnings are below the National Insurance lower earnings limit.
 - **Employee Action:** If ineligible for SMP, the employee can claim **Maternity Allowance** from the government. This is available to:
 - Employees who do not qualify for SMP.
 - Those who have been employed or self-employed for at least 26 weeks in the 66 weeks before the baby is due and earned at least £30 a week for 13 of those weeks.
 - **Manager Action:**
 - Issue a **SMP1 form** to the employee within 7 days of making the decision, explaining why SMP is not payable.
 - Inform the employee of their option to apply for Maternity Allowance via Jobcentre Plus.
 - Guide the employee to the relevant information and forms for Maternity Allowance.
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7. Keeping in Touch (KIT) Days

- **Employee Action:** You may work up to 10 KIT days during maternity leave.
 - **Manager Action:** Agree in advance on pay for each KIT Day and ensure these days do not affect maternity leave entitlements.
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8. Return to Work

- **Employee Action:** If returning early, give 8 weeks' notice in writing.
 - **Manager Action:** Confirm the employee's return to the same or an equivalent position.
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9. Redundancy Protection

- **Manager Action:** Offer priority status for any redeployment opportunities if redundancy occurs during maternity leave.
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10. Flexible Working Requests

- **Employee Action:** Submit flexible working requests in writing.
 - **Manager Action:** Respond according to business needs and the company's **Flexible Working Policy**.
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11. Shared Parental Leave (SPL)

- **Employee Action:** Notify your manager if opting for SPL.
 - **Manager Action:** Confirm the SPL request and ensure proper handling of the employee's rights.
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12. Annual Leave Entitlement

- **Manager Action:** Discuss options for annual leave before maternity leave starts.

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