

# THE KILMARNOCK LEISURE CENTRE TRUST

T/A

## THE GALLEON CENTRE MATERNITY



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### The Policy

This policy sets out the maternity provisions to which all female Employees are entitled, both before and after the birth of a child. This policy complies with relevant legislation.

All Employees have the right not to be subjected to a detriment on the grounds of pregnancy, childbirth or maternity, irrespective of hours of work or length of service.

Further information on maternity leave and pay can be sought from the Office Manager.

Employees 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.

### The Policy in Operation

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

Employees are entitled to take reasonable, paid time off during their normal working hours to receive ante natal care. Employees should inform their line manager of the fact that they are pregnant, and produce the appointment card.

Employees should, where possible, arrange appointments either at the start, or the end, of the working day.

#### ***Statutory Maternity Leave (Notification and Commencement)***

All Employees are entitled to take up to 26 weeks ordinary maternity leave and up to 26 weeks additional maternity leave, making a total of 52 weeks.

Employees seeking to take maternity leave must;

- Produce medical evidence of the Expected Week of Childbirth (EWC). This will normally be in the form of a Maternity Certificate (the MATB1), available from the doctor or midwife, and will be issued approximately 14 weeks before the expected week of birth, and
- Advise the KLCT when they wish their maternity leave to commence. The Employee can choose to begin her maternity leave any time from 11 weeks before the EWC up until the birth itself. This notice should be given no later than the end of the 15th week before the EWC.

Where the Employee is absent from work due to illness caused by the pregnancy at any time during the four weeks before the start of her EWC, maternity leave will start automatically on the first day of absence.

On being notified of an Employee's intention to take maternity leave, the KLCT will write to her, within 28 days of the notification, advising of the date that she is expected to return to work should the Employee take her full entitlement of 52 weeks.

The Employee may change her mind about when she wishes to start her leave provided that she tells the KLCT at least 28 days in advance, unless this is not reasonably practicable.

### ***Earlier-Than-Expected Childbirth***

Maternity leave will begin the day after the birth of the child, if the birth is before:

- the notified maternity leave start date
- the Employee has given notification of any start date

This applies even if the birth takes place before the start of the 11th week before the EWC.

### ***Returning to Work***

An Employee who returns to work at the end of her full maternity leave period need not notify the KLCT in advance of her return. If, however, the Employee wishes to return to work early, she must give 8 weeks' notice. Employees may not return to work earlier than two weeks after the birth of the child (or four weeks where the Employee works in a factory). An Employee has the right to return to the same job she had prior to commencement of leave (statutory maternity leave).

### ***Terms and Conditions during Maternity Leave***

During maternity leave, Employees' remain employed under their terms and conditions of employment and are entitled to the benefits of their normal terms and conditions other than remuneration. In particular, Employees will continue to accrue annual leave during maternity leave. Annual leave accrued in the leave year in which the Employee commences maternity leave should be used prior to the Employee starting maternity leave. The Employee should liaise with the Administration Department with regard to planning the dates of her annual leave.

Employees will also retain any right to use KLCT's cars or mobile phones that have been allocated to them.

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

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. The remaining period of maternity leave is unpaid. SMP shall commence when the Employee's

maternity leave starts. If an Employee returns to work before SMP finishes her entitlement to SMP shall cease.

In order to qualify for SMP, an Employee must:

- Have been continuously employed for at least 26 weeks by the 15<sup>th</sup> week before her EWC
- Be pregnant and have reached the 11<sup>th</sup> 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 KLCT that she intends to be absent from work due to pregnancy

### ***Keeping In Touch***

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

The KLCT and the Employee are also entitled to agree that the Employee will attend work for up to 10 days during maternity leave without this affecting the Employee's SMP. This may allow the Employee to attend training or other events that take place during the maternity leave period or allow the Employee to keep her skills up to date. The KLCT is not obliged to pay the Employee for these days. However, where payment for these days is agreed, any such payment will be agreed between the organisation and the Employee beforehand.