



## Welsh Target Shooting Federation

### Maternity Leave Policy

#### 1. STATEMENT OF INTENT

1.1 This policy sets out the statutory rights and responsibilities of employees who are pregnant or have recently given birth and gives details of the arrangements for antenatal care, pregnancy-related illness, and maternity leave and pay.

1.2 As the maternity provisions are complex, if an employee becomes pregnant, she should clarify the relevant procedures with her line manager to ensure that they are followed correctly.

#### 2. DEFINITIONS

2.1 The following definitions are used in this policy:

- Expected week of childbirth – the week, starting on a Sunday, during which the employee's doctor or midwife expects her to give birth
- Qualifying week – the 15th week before the expected week of childbirth

#### 3. NOTIFICATION OF PREGNANCY

3.1 On becoming pregnant, an employee should notify her line manager as soon as possible. This is important as there are health and safety considerations for Welsh Target Shooting Federation (WTSF).

3.2 By the end of the qualifying week, or as soon as reasonably practicable afterwards, the employee is required to inform the WTSF in writing of:

- the fact that she is pregnant
- her expected week of childbirth; and
- the date on which she intends to start her maternity leave

3.3 The employee must also provide a MAT B1 form, which is a certificate from a doctor or midwife confirming the expected week of childbirth. The form must have either the doctor's name and address or the midwife's name and registration number on it.

3.4 The employee is permitted to bring forward her maternity leave start date, provided that she advises her line manager in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone her maternity leave start date, provided that she advises her line manager in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

3.5 The WTSF will formally respond in writing to the employee's notification of her leave plans within 28 days, confirming the date on which she is expected to return to work if she takes her full 52-week entitlement to maternity leave.



## 4. ENTITLEMENTS

4.1 Time off for Antenatal Care: Once an employee has advised the WTSF that she is pregnant, she will be entitled to take reasonable paid time off work to attend antenatal appointments as advised by her doctor, registered midwife or health visitor. The employee should endeavour to give her line manager as much notice as possible of antenatal appointments and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

4.2 Health and Safety: A risk assessment will be carried out to assess the workplace risks to women who are pregnant, have recently given birth or where breastfeeding is required on their return to work.

4.3 Sickness Absence: If an employee is absent from work during pregnancy owing to sickness, she will receive normal sick pay in the same manner as she would during any other sickness absence, provided she has not yet commenced ordinary maternity leave. If, however, the employee is absent from work due to a pregnancy-related illness after the beginning of the fourth week before her expected week of childbirth, her maternity leave will start automatically. If the employee is absent from work wholly or partly because of pregnancy during the four weeks before the expected week of childbirth, the employee must notify WTSF in writing of this, as soon as reasonably practicable.

## 5. MATERNITY LEAVE

5.1 All pregnant 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. This is regardless of the number of hours they work or their length of service. Additional maternity leave begins on the day after ordinary maternity leave ends

5.2 Ordinary maternity leave can start at any time after the beginning of the 11th week before the employee's expected week of childbirth (unless her child is born prematurely before that date, in which case it will start earlier).

5.3 Maternity leave will start on which ever date is the earlier of:

- the employee's chosen start date
- the day after the employee gives birth; or
- the day after any day on which the employee is absent for a pregnancy-related reason in the four weeks before the expected week of childbirth

5.4 If the employee gives birth before her maternity leave was due to start, she must notify her line manager in writing of the date of the birth as soon as reasonably practicable.

5.5 The law obliges all employees to take a minimum of two weeks maternity leave (or four weeks if the role involves factory work) immediately after the birth of the child.

## 6. ORDINARY MATERNITY LEAVE



6.1 During the period of ordinary maternity leave, the employee's contract of employment continues and she is entitled to receive all her contractual benefits, except for salary. Any benefits in kind will continue and contractual annual leave entitlement will continue to accrue

6.3 The employee will be advised before starting ordinary maternity leave whether she has any outstanding holiday entitlement. The WTSF may require the employee to take any outstanding holiday before commencing maternity leave or agree (in conjunction with the line manager) that the employee should carry the leave over and take it on return to work after maternity leave. If the employee decides not to return to work following maternity leave, she will be paid for any holiday entitlement accrued, equally should the employee not return to work and has taken more holiday than she has accrued, she will be required to repay the equivalent of the excess holiday taken.

## 7. **ADDITIONAL MATERNITY LEAVE**

7.1 During the period of additional maternity leave, the employee's contract of employment continues in force and she is entitled to receive all her contractual benefits, except for salary. Any benefits in kind will continue and contractual annual leave entitlement will continue to accrue.

## 8. **STATUTORY MATERNITY PAY**

8.1 Statutory maternity pay is payable for up to 39 weeks during maternity leave. An employee is entitled to SMP if:

- she has been continuously employed by WTSF for at least 26 weeks at the end of the qualifying week and she is still employed during that week;
- her average weekly earnings in the period between the last normal pay day before the Saturday at the end of the qualifying week and the last normal pay day at least eight weeks before that date are not less than the lower earning limit for national insurance
- she is still pregnant 11 weeks before the start of the expected week of childbirth (or has already given birth);
- she provides a MAT B1 form stating her expected week of childbirth; and
- she gives proper notification of her pregnancy in accordance with the rules set out above

8.2 For the first six weeks, SMP is paid at the higher rate, which is equivalent to 90% of the employee's average weekly earnings calculated over a specified period. For the purpose of calculating average weekly earnings, shift allowances and overtime payments, are all included.

8.3 The standard rate of SMP is paid for the remaining 33 weeks (or less if the employee returns to work sooner). This is paid at a rate set by the Government for the relevant tax year, or 90% of the employee's average weekly earnings if this is lower than the Government's set weekly rate.

8.4 If an employee becomes eligible for a pay rise between the start of the original calculation period and the end of her maternity leave (whether ordinary or additional leave), the higher or standard rate of SMP will be recalculated to take account of the pay rise, regardless of whether SMP has already been paid.



8.5 Statutory maternity pay is treated as earnings and is therefore subject to PAYE and national insurance deductions

8.6 Employees who are not entitled to SMP may be entitled to receive maternity allowance, payable by the Government

## 9. CONTACT DURING MATERNITY LEAVE

9.1 Shortly before an employee's maternity leave starts, the line manager will discuss the arrangements for her to keep in touch during her leave, should she wish to do so. WTSEF reserves the right in any event to maintain reasonable contact with the employee from time to time during her maternity leave. This may be to discuss changes within the organisation e.g. restructure, the employee's plans for return to work, to discuss any special arrangements to be made or training to be given to ease her return to work or simply to update her on developments at work during her absence.

## 10. KEEPING-IN-TOUCH DAYS

10.1 Except during the first two weeks after childbirth, an employee can agree to work or to attend training for up to 10 days during either ordinary maternity leave or additional maternity leave, without that work bringing the period of her maternity to an end and without a loss of a week's SMP. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

10.2 WTSEF has no right to require the employee to carry out any work, and the employee has no right to undertake any work, during her maternity leave. Any work taken, including the amount of salary paid for any work done on keeping-in-touch days, will be in line with normal contractual arrangements. Any keeping-in-touch days worked do not extend the period of maternity leave. Once the keeping-in-touch days have been used up, the employee will lose a week's SMP for any week in which she agrees to work for the company.

## 11. RETURNING TO WORK

11.1 The employee will have been formally advised in writing of the date on which she is expected to return to work if she takes her full 52-week entitlement to maternity leave. The employee is expected to return on this date, unless she notifies WTSEF otherwise. If she is unable to attend work at the end of her maternity leave due to sickness or injury, the WTSEF's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

11.2 While the employee is under no obligation to do so, it would assist the company if she confirms as soon as convenient during her maternity leave that she will be returning to work as expected

11.3 If the employee wishes to return to work earlier than the expected return date, she must give WTSEF at least eight weeks' notice of her date of early return, preferably in writing. If she fails to do so the WTSEF may postpone her return to such a date as will give WTSEF eight weeks' notice, provided that this is not later than the expected return date.



11.4 If the employee decides not to return to work after maternity leave, she must give notice of resignation as soon as possible and in accordance with the terms of her contract of employment. If the notice period would expire after maternity leave has ended, WTSEF may require the employee to return to work for the remainder of the notice period.

### **13. TRANSFER OF MATERNITY LEAVE**

13.1 If an employee proposes to return to work early without using her full 52-week entitlement to maternity leave by giving proper notification of an early return in accordance with the rules set above, she may be eligible to transfer up to 26 weeks of her outstanding maternity leave (and outstanding SMP) to her spouse, civil partner or partner, or the father of her child, to be taken as additional paternity leave (and additional statutory paternity pay) on her return to work.

13.2 The earliest that additional paternity leave may commence is 20 weeks after the date on which the employee's child is born and it must end no later than 12 months after the date of birth. The minimum period of additional paternity leave is two consecutive weeks and the maximum period is 26 weeks. The employee must therefore have at least two weeks of her maternity leave that remains unexpired.

13.3 Further details should be obtained from the employee's spouse's or partner's employer. If the employee does wish to transfer part of her maternity leave entitlement in this way, she will be required to submit a written and signed declaration form to that employer, which may also make additional enquiries of WTSEF to verify its employee's entitlement to additional paternity leave and pay.

### **14. RIGHTS ON AND AFTER RETURNING TO WORK**

14.1 On resuming work after ordinary maternity leave, the employee is entitled to return to the same job as she occupied before commencing maternity leave, on the same terms and conditions of employment as if she had not been absent.

14.2 On resuming work after additional maternity leave, again she is entitled to return to the same job as she occupied before commencing maternity leave on the same terms and conditions of employment as if she had not been absent. However, if it is not reasonably practicable for WTSEF to allow the employee to return to the same job, WTSEF may offer the employee suitable alternative work, on terms and conditions that are no less favourable than would have applied if she had not been absent

14.3 An employee who worked full-time prior to maternity leave has no automatic right to return to work on a part-time basis or to make other changes to her working patterns. However, all requests for part-time work or other flexible working arrangements will be considered in line with the operational requirements of the WTSEF. If an employee would like this option to be considered, she should write to her line manager setting out her proposals as soon as possible in advance of her return date, so that there is adequate time for full consideration of the request.



14.4 WTSHF will make every attempt to provide suitable rest and storage facilities for employees who are breastfeeding and a risk assessment will be carried out.

## 15. EXCEPTIONAL CIRCUMSTANCES

15.1 An employee who experiences a miscarriage in the first 24 weeks of pregnancy is not entitled to maternity leave and pay.

15.2 If an employee gives birth to a stillborn child after 24 weeks of pregnancy, their entitlement to maternity leave and pay are unaffected

15.3 In circumstances where a baby dies at, or shortly after birth, maternity leave and pay are unaffected.

## 16. MISCELLANEOUS

16.1 Pregnant employees have the right not to be dismissed because they are pregnant. However, where an employee's pregnancy means that she is unable to do her job adequately, where it is unlawful for a pregnant woman to do a particular job, or where a health and safety risk to herself or her baby has been identified but cannot be eliminated, WTSHF will make every effort to make reasonable adjustments or suitable alternative work. If this is not possible the WTSHF may have to suspend the employee on full pay. WTSHF also reserves the right to require the employee to be examined by a doctor or Occupational Health consultant where it is felt that her health, or that of her baby, may be suffering as a result of her continuing to work.