



Maternity Leave



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Introduction

We are committed to supporting a positive work-life balance for all our employees and recognise that time with your children is important. Maternity leave is the time taken off work when someone is pregnant, before and/or after birth.

Definitions

The following definitions are used in this policy:

- "Expected week of childbirth" means the week, starting on a Sunday, when your doctor or midwife expects you to give birth.
- "Qualifying week" means the 15th week before your expected week of childbirth.

Statutory Maternity Leave

If you are pregnant, regardless for how long you have worked at Kier, you have the right to take up to 52 weeks' maternity leave. The first 26 weeks' is known as ordinary maternity leave and the last 26 weeks' is known as additional maternity leave.

If you are on maternity leave, you have the right to return to work at any time during either ordinary or additional maternity leave, except for the first two weeks which is compulsory maternity leave.

Please see below for further information on payment during a period of maternity leave.

Enhanced Maternity Pay – More than 26 weeks continuous service at the end of the qualifying week

In order to support our people during maternity, we offer enhanced maternity pay provided you have 26 weeks' continuous service at the end of the qualifying week. This is known as Occupational Maternity Pay (OMP) and is as follows;

- Full pay for the first 26 weeks (inclusive of SMP)
- Followed by a further period of 13 weeks of Statutory Maternity Pay (SMP or 90% of your average weekly earnings)

For the latest guidance on payment of SMP, please review the government guidelines [here](#).

Entitlement to SMP will be calculated differently depending on whether you are paid weekly or monthly;

Weekly: If paid weekly, the calculation will consider the normal weekly earnings for the eight-week period ending with the fifteenth week before the expected week of childbirth (EWC).

Monthly: If paid monthly, the earnings considered, are those set out on the last two pay slips before the end of the qualifying week.

If you are absent during this eight week or two-month period and receiving less than your normal pay, your entitlement to SMP will be affected.

Payment of SMP cannot begin prior to the eleventh week before the EWC (unless the baby is born



prematurely before that date).

SMP is payable whether you intend to return to work or not after the maternity leave.

Less than 26 weeks continuous service at the end of the qualifying week

If you are not entitled to OMP or SMP, you may be entitled to receive maternity allowance payable directly by Government. In this case, we will provide you with an SMP1 form to support you in pursuing a claim for maternity allowance.

Timing of Maternity

Ordinary maternity leave can start at any time after the eleventh week before your EWC (unless the baby is born prematurely before that date). Maternity leave will commence on whichever date is the earlier of:

- Your chosen start date;
- The day after you give birth, or;
- The day after any day where you are absent for a pregnancy-related reason in the four weeks before the expected week of childbirth.

It is a legal requirement to take a minimum of two weeks of maternity leave immediately following the birth of your baby.

Notice of maternity

On becoming pregnant, you should notify your line manager as soon as possible so that a [pregnant employee risk assessment](#) can be completed. This is to identify any risk to your health and safety or that of your baby.

By the end of the qualifying week, or as soon as possible afterwards, you should complete a [notification of maternity leave form](#).

We will then write to you within 28 days to confirm the details of your maternity leave and confirm the date on which you would be due to return to work, if you were to take all your maternity leave entitlement.

You will also need to provide a MATB1 form, which is a certificate from a doctor or midwife confirming the EWC. The form must have either the doctor's name and address or the midwife's name and registration number on it.

You can postpone your maternity leave start date or bring this forward, provided you let us know in writing at least 28 days before the date, or if that is not possible, as soon as reasonably possible.

Transfer of maternity leave

Shared parental leave enables a pregnant employee to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date. Please refer to our policy on shared parental leave (birth).

For more information, please refer to the [Shared Parental Leave](#) policy.



Time off for antenatal care

Once you have let us know that you are pregnant you are entitled to paid time off to attend antenatal appointments as advised by your doctor, registered midwife or registered health visitor.

Except in the case of the first appointment, you may be asked to produce evidence of the appointment, such as a medical certificate or appointment card.

As much notice as possible should be given to your line manager for antenatal appointments and, wherever possible, these should be arranged as near to the start or end of the working day.

Sickness absence

If you are absent from work due to sickness during your pregnancy, you will receive normal statutory or contractual sick pay in the same way you would during any other sickness absence provided that you have not yet begun ordinary maternity leave. If you are absent from work due to a pregnancy-related illness after the beginning of the fourth week before your expected week of childbirth, your maternity leave and any entitlement to SMP (or enhanced maternity pay (where applicable) will commence automatically.

Maternity pay and salary exchange

If you have entered into any salary exchange agreements, the calculation of maternity pay will be affected. You are entitled to opt out of salary exchange agreements; however, you must do this before the period in which average earnings are calculated.

Benefits during maternity

Your terms and conditions of employment remain in force during maternity leave, except for the terms relating to remuneration.

Due to the HMRC rules of salary exchange, non-cash benefits such as private medical insurance, cannot be taken from statutory pay such as maternity, shared parental leave, etc. Therefore, during these leave periods, the cost of contractual non-cash benefits will be met by Kier and the benefits will continue. The benefits that are taxable before your leave will continue to be taxable and reportable by P11D to HMRC.

If you are a member of a pension scheme, we will make employer pension contributions during any period of paid leave, based on your normal salary and in accordance with the pension scheme rules. If you are in a non-salary exchange pension scheme, contributions you make will be based on the amount of any pay that you are receiving, unless you inform the HR Shared Service Centre (HRSSC) in writing that you wish to make up any shortfall.

If you are in a salary exchange pension scheme, such as the Kier Retirement Savings Plan, you will continue to participate in pension salary exchange unless you opt out of this through HRSSC. Your contributions will be taken from any pay that exceeds statutory pay and we will pay the employee's contributions on the statutory payment to maintain the normal monthly employee contribution as though you were receiving full pay.

Life cover, whether associated with pension membership or not, will continue regardless of whether you are on paid or unpaid leave.



If you have a company car or car allowance, you will continue to either have use of a car or continue to receive the allowance during your leave.

Your holiday will continue to accrue at your usual rate. All holiday dates are subject to approval by your line manager. You are encouraged to discuss with your line manager the timing of any outstanding holiday and holiday which will be accrued during your leave. It may be possible to carry a limited number of days into a new holiday year.

Neonatal Care

Having or adopting a healthy baby is the number one priority for new parents. However, 1 in 7 babies in the UK are born prematurely or sick and go on to receive care on a neonatal unit.

Kier has a specific policy on Neonatal Care to demonstrate our commitment to supporting employees who need to take time off to care for their babies requiring specialist neonatal care. This policy sets out leave and pay arrangements (including entitlement to enhanced neonatal pay) and can be found [here](#).

Contact during maternity leave – keeping in touch days

We may be in touch with you during your maternity leave to discuss potential plans for return to work, including any special arrangements which will need to be made or training which would ease your return, or to update you on any important developments at work during your absence.

While you are on maternity leave, you can agree to work or to attend training for up to 10 days without bringing your maternity leave to an end and without loss of a week's SMP. These are known as keeping-in-touch (KIT) days. Any time spent working on a KIT day will be paid at your normal basic rate of pay. This payment will be inclusive of any maternity pay entitlement. If any additional days above and beyond the ten days are worked SMP will be affected.

KIT days are entirely voluntary and there is no requirement for you to undertake these.

Returning to work after maternity leave

You can return to work at any time after the first two weeks of compulsory maternity leave. If you wish to return before the full period of maternity leave has elapsed, you need to let us know in writing of your intended return date at least eight weeks in advance. Without this, we may postpone the return date to one which gives us eight weeks' notice.

You have the right to return to the same job if returning to work from ordinary maternity leave. If you are returning from additional maternity leave, you will be entitled to return either to the same job or, if that is not reasonably possible, to another suitable job on terms and conditions that are not less favourable.

If you would like to return to your original role but on a permanent part-time or job share basis or any other varied hours, different duties or location then please refer to the [Smart Working Policy](#).

If you decide not to return to work following your maternity, you will need to provide written notice of your resignation as per the terms of your employment contract. You will still be eligible to claim the full 39 weeks statutory maternity pay, provided you were still employed at the end of the 15th week before the EWC.

End of employment and maternity

If you were to leave Kier for any of the following reasons;

- Resignation
- Redundancy
- End of Fixed Term Contract

and your end date fell at the end of the qualifying period or during the maternity leave, the entitlement to enhanced maternity pay would end on the last day of employment. You would continue to receive Statutory Maternity Pay.



Internal support

As a Kier employee, you have access to the following resources which you may wish to utilise:

- A 24/7 GP service (ZGP24) for you and your family. This allows you to book a call with a GP at any time of the day or night by calling 0345 319 0484 or visiting their website [here](#).
- The Employee Assistance Programme (EAP) provides you access to counselling services and a team of Telephone Information Specialists who provide 'in-the-moment' practical information and advice services around issues that may be affecting you at home or at work. The EAP is available 24 hours a day, 365 days a year. More details can be found [here](#).
- Our mental health first aiders within Kier are available if you need someone to talk to.
- Please [visit Your Kier](#) for full details on all our wellbeing support.

Maternity Leave - Forms

Who	Action	When	Form
Employee who is pregnant	Notify us you are pregnant	As soon as possible	Notification of maternity leave form
Line manager	Complete risk assessment	As soon notification received	New and Expectant Birthing Parent Risk Assessment

